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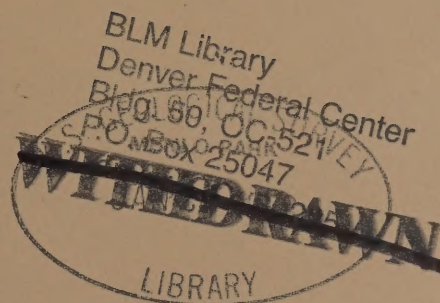
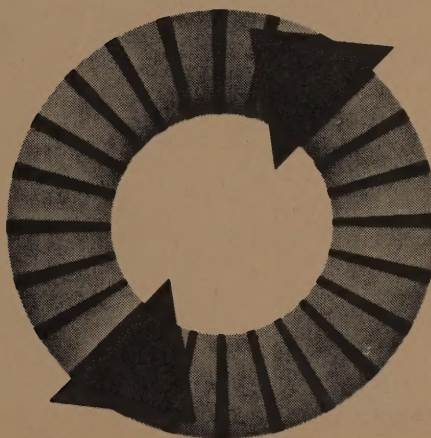
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MITIGATION MONITORING AND COMPLIANCE PROGRAM

RAIL•CYCLE - BOLO STATION LANDFILL

FINAL ENVIRONMENTAL IMPACT REPORT/ ENVIRONMENTAL IMPACT STATEMENT

State Clearinghouse No. 91092020



RAIL•CYCLE
A COMPREHENSIVE RECYCLING AND WASTE MANAGEMENT SYSTEM



A JOINT
VENTURE



Prepared For:

COUNTY OF SAN BERNARDINO
AND
UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

August 1994

ENVIRONMENTAL SOLUTIONS, INC.

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CHAPTER 1.0 INTRODUCTION

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1.0 INTRODUCTION

1.1 OVERVIEW

1. This Mitigation Monitoring and Compliance Program (Program) has been prepared for use in implementing the mitigation measures identified in the Final Environmental Impact Report/ Environmental Impact Statement (EIR/EIS) for the Rail•Cycle/Bolo Station Landfill in San Bernardino County, California. This Program has been prepared in compliance with Section 21081.6 of the California Environmental Quality Act (CEQA). Section 21081.6 requires that public agencies adopt a monitoring program for measures that are included as part of a proposed project to mitigate or avoid significant effects to the environment.
2. This Program serves four functions:
 - Assures completion of mitigation measures during implementation of the project.
 - Identifies verification procedures.
 - Specifies the agency/entity responsible for assuring mitigation completion.
 - Provides feedback to agency and decision makers regarding the effectiveness of the mitigation measures.
3. The Program for the Rail•Cycle/Bolo Station project will be overseen by the San Bernardino County Planning Department, Environmental Section (Planning Department). The Planning Department will be responsible for maintaining and reviewing the monitoring records. Up-to-date copies of all compliance records, in addition to copies of pertinent plans, reports and permits, will be maintained on file at the Planning Department.
4. A Mitigation Monitoring Compliance Record (Compliance Record) shall be maintained for each mitigation measure certified in the Final EIR/EIS and adopted as conditions of approval for the project. The Compliance Records are included in Chapter 3.0 of this program. Each record includes the following:
 - The text of the mitigation measure(s) for which the record applies.
 - Implementation and Verification Record. This includes the required monitoring action(s) and the agency(ies) or parties responsible for the monitoring.
 - Compliance Record. The text in this section details the required scheduling for implementation of the mitigation measure(s). Also included under this heading is the actual record sheet which will be completed by the responsible agencies/parties. The pertinent actions and dates will be logged and copies of permits, correspondence or other relevant data attached to these records and forwarded to the Planning Department.
5. The Program has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based on recommendations by those responsible for the Program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the Program.

6. An overview matrix of the mitigation measures included in this Program and the agencies responsible for implementation/verification of each measure is included as Table 1.1. The numbered mitigation measures (i.e., G-1) correspond to the mitigation measures listed in Chapter 2.0 and 3.0 of this Program.
7. The measures have been numbered using the following abbreviations to designate the environmental categories as included in the Draft EIR/EIS, Supplement and Final EIR/EIS:
 - G - Geology and Soils
 - M - Mineral Resources
 - H - Hydrology
 - GW - Ground Water
 - V - Vegetation
 - W - Wildlife
 - AQ - Air Quality
 - PH - Public Health and Safety
 - VR - Visual Resources
 - P - Paleontological Resources
 - T - Transportation
 - N - Noise
 - L - Land Use
 - S - Socioeconomics
8. Chapter 2.0 is a listing of the text for each mitigation measure and Chapter 3.0 provides copies of the Compliance Records for each of the measures. For reference purposes, a designation of the source of each mitigation measure is included in Chapter 2.0 and Chapter 3.0. This designation is shown at the end of each measure: "Draft EIR/EIS", "Supplement" (Supplement to the Draft EIR/EIS), and "Final" (Final EIR/EIS). Several of the wildlife mitigation measures are taken directly from the U.S. Fish and Wildlife Service (USFWS) Biological Opinion Terms and Conditions for the project. The source for these measures is indicated by "USFWS."

1.2 REPORTS/PERMITS TO BE FILED WITH PLANNING DEPARTMENT

1. As the responsible monitoring entity, the Planning Department shall maintain copies of pertinent reports, plans, and permits associated with the mitigation measures. For each mitigation measure, the "Implementation and Verification" section of the Compliance Record in Chapter 3.0 of this program specifies copies which will be provided to the Planning Department and the agency/party which will be responsible to provide the copies. Table 1.2 is a summary list of these documents by environmental category. Documents as noted under the "General" category (Solid Waste Facilities Permit, etc.) are assumed to include supporting technical documents and permits describing and restricting construction, operations, closure and/or postclosure maintenance activities at the landfill.

TABLE 1.1
MONITORING AGENCIES RESPONSIBILITY MATRIX

Page 1 of 4

MITIGATION MEASURES	RESPONSIBLE AGENCY ⁽¹⁾											
	San Bernardino County						Other					
	Planning	LEA	DEHS	Building and Safety	Land Development	County Geologist	Fire	RWQCB	CIWMB	MDAQMD	BLM	USFWS
GEOLOGY AND SOILS												
• G-1	●			●								
• G-2	●	●						●	●			
• G-3	●	●		●				●				
• G-4	●	●						●				
• G-5	●	●						●	●			
• G-6	●	●						●	●			
• G-7	●	●						●	●			
• G-8	●			●		●		●				
MINERAL RESOURCES												
• M-1	●	●						●	●			
• M-2	●	●						●				
• M-3	●							●	●			
• M-4	●	●										
HYDROLOGY												
• H-1	●	●			●			●	●			
• H-2	●	●			●			●	●			
• H-3	●	●			●			●	●			
• H-4	●	●			●			●	●			
• H-5	●	●			●			●	●			
• H-6	●	●			●			●	●			
• H-7	●				●			●				
GROUND WATER												
• GW-1	●	●		●				●				
• GW-2	●											
• GW-3	●	●						●	●			
• GW-4	●	●						●	●			
• GW-5	●	●						●	●			
• GW-6	●	●						●	●			
• GW-7	●	●						●	●			
• GW-8	●	●						●	●			
• GW-9	●							●	●			
• GW-10	●	●						●	●			
• GW-11	●	●						●	●			
VEGETATION												
• V-1	●	●										
• V-2	●	●		●								
• V-3	●	●		●								
• V-4	●	●						●	●			
• V-5	●	●						●	●			
• V-6	●											
• V-7	●	●						●				
• V-8	●	●						●	●			
• V-9	●	●						●	●			

(1) Planning: San Bernardino County Planning Department
 LEA: Local Enforcement Agency
 DEHS: San Bernardino County Department of Environmental Health Services
 Building and Safety: San Bernardino County Building and Safety Department
 Land Development: San Bernardino County Land Development Department
 Fire: San Bernardino County Forestry and Fire Warden Department

RWQCB: Regional Water Quality Control Board
 CIWMB: California Integrated Waste Management Board
 MDAQMD: Mojave Desert Air Quality Management District
 BLM: U.S. Bureau of Land Management
 USFWS: U.S. Fish and Wildlife Service

TABLE 1.1
MONITORING AGENCIES RESPONSIBILITY MATRIX
(Continued)

Page 2 of 4

MITIGATION MEASURES	RESPONSIBLE AGENCY ⁽¹⁾											
	San Bernardino County						Other					
	Planning	LEA	DEHS	Building and Safety	Land Development	County Geologist	Fire	RWQCB	CIWMB	MDAQMD	BLM	USFWS
WILDLIFE												
• W-1	•										•	•
• W-2	•										•	•
• W-3	•											•
• W-4	•											•
• W-5	•	•							•			•
• W-6	•											•
• W-7	•											•
• W-8	•											•
• W-9	•											•
• W-10	•											•
• W-11	•											•
• W-12	•										•	•
• W-13	•											•
• W-14	•										•	•
• W-15	•											•
• W-16	•											•
• W-17	•											•
• W-18	•	•						•				•
• W-19	•	•							•			•
• W-20	•											•
• W-21	•											•
• W-22	•											•
• W-23	•											•
• W-24	•											•
• W-25	•											•
• W-26	•											•
AIR QUALITY												
• AQ-1	•	•										
• AQ-2	•	•										
• AQ-3	•	•										
• AQ-4	•	•										
• AQ-5	•	•										
• AQ-6	•	•										
• AQ-7	•	•						•	•			
• AQ-8	•	•								•		
• AQ-9	•	•								•		
• AQ-10	•	•								•		
• AQ-11	•	•							•	•		
• AQ-12	•	•								•		
• AQ-13	•	•								•		
• AQ-14	•	•								•		
• AQ-15	•									•		
• AQ-16	•									•		
• AQ-17	•											
• AQ-18	•											

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TABLE 1.1
MONITORING AGENCIES RESPONSIBILITY MATRIX
(Continued)

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MITIGATION MEASURES	RESPONSIBLE AGENCY ⁽¹⁾											
	San Bernardino County						Other					
	Planning	LEA	DEHS	Building and Safety	Land Development	County Geologist	Fire	RWQCB	CIWMB	MDAQMD	BLM	USFWS
PUBLIC HEALTH AND SAFETY												
• PH-1	●	●		●			●					
• PH-2	●	●		●			●					
• PH-3	●	●		●			●					
• PH-4	●	●		●			●					
• PH-5	●	●		●			●					
• PH-6	●			●			●					
• PH-7	●						●					
• PH-8	●	●	●									
• PH-9	●	●	●									
• PH-10	●	●	●									
• PH-11	●	●	●									
• PH-12	●	●	●									
• PH-13	●	●										
• PH-14	●	●	●				●					
• PH-15	●	●	●									
• PH-16	●	●	●									
• PH-17	●	●							●			
• PH-18	●	●							●			
• PH-19	●	●							●			
• PH-20	●			●								
• PH-21	●	●	●									
VISUAL RESOURCES												
• VR-1	●	●						●	●			
• VR-2	●	●						●	●			
• VR-3	●	●							●			
• VR-4	●	●							●			
• VR-5	●			●								
• VR-6	●			●								
• VR-7	●	●										
CULTURAL RESOURCES												
• C-1	●											
• C-2	●											
• C-3	●											
• C-4	●											
PALEONTOLOGICAL RESOURCES												
• P-1	●											
• P-2	●								●			
• P-3	●											
• P-4	●											
TRANSPORTATION												
• T-1	●				●							
• T-2	●				●				●			
• T-3	●											
• T-4	●									●		

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	Planning	LEA	DEHS	Building and Safety	Land Development	County Geologist	Fire	RWQCB	CIWMB	MDAQMD	BLM	USFWS
NOISE												
• N-1	•	•										
• N-2	•		•	•								
LAND USE												
• L-1	•										•	
• L-2	•											
SOCIOECONOMICS												
• S-1	•											
• S-2	•											
• S-3	•											
• S-4	•											
• S-5	•											
• S-6	•	•	•	•			•					
• S-7	•	•							•			
• S-8	•		•	•								

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TABLE 1.2
REPORTS/PERMITS TO BE FILED
WITH THE PLANNING DEPARTMENT

Page 1 of 2

ENVIRONMENTAL CATEGORY	DOCUMENT
General	<ul style="list-style-type: none"> • Solid Waste Facilities Permit (SWFP). • Waste Discharge Requirements (WDRs). • Report of Disposal Site Information (RDSI). • Report of Waste Discharge (ROWD).
Geology and Soils	<ul style="list-style-type: none"> • Final grading plans. • Approved postearthquake inspection plans. • Geologic logging report of each landfill cell.
Mineral Resources	<ul style="list-style-type: none"> • Monitoring well and vadose zone gas monitoring plans. • Periodic monitoring reports for monitoring wells and vadose zone. • Documentation of approved financial assurance program.
Hydrology	<ul style="list-style-type: none"> • Approved Drainage Plan. • Monitoring Program for Chambless Wash.
Ground Water	<ul style="list-style-type: none"> • Monitoring well and vadose zone gas monitoring plans. • Periodic monitoring reports for monitoring wells and vadose zone. • Documentation of approved financial assurance program.
Vegetation	<ul style="list-style-type: none"> • Grading plans. • Site plan including plant nursery location. • Approved Preliminary Closure Plan including seed mixture for revegetation.
Wildlife	<ul style="list-style-type: none"> • Name and qualifications of approved biologist(s) for handling tortoises and kit fox. • Name and qualifications of designated Field Contact Representative for USFWS. • Kit fox trapping/relocation records. • USFWS notification letter of encountering any dead or injured kit fox or desert tortoise. • Records of all tortoise handling. • Employee education program for wildlife. • Approved raven monitoring plan, baseline report, and subsequent monitoring reports.
Air Quality	<ul style="list-style-type: none"> • Dust Control Plan. • Quarterly and annual reports on status of air quality mitigation. • Proposed alternative systems to control volatile organic compounds (VOC) emissions. • Annual inventory of locomotives and replacement history for trains serving the landfill.

TABLE 1.2
REPORTS/PERMITS TO BE FILED
WITH THE PLANNING DEPARTMENT
(Continued)

Page 2 of 2

ENVIRONMENTAL CATEGORY	DOCUMENT
Public Health and Safety	<ul style="list-style-type: none"> • Approved fire prevention and response plan. • Design and location of temporary hazardous waste storage area. • Spill Prevention, Control and Countermeasure (SPCC) Plan. • Litter/vector control plan. • Insect monitoring and trapping program. • Approved fire station plans. • Hazardous waste handling permit.
Cultural Resources	<ul style="list-style-type: none"> • Employee education program including "no collection" policy. • Design plans for visitor's center and displays. • Archaeological monitoring reports.
Visual Resources	<ul style="list-style-type: none"> • Approved Preliminary closure plan including Revegetation Plan. • Litter/vector control plan. • Site plans specifying type and location of facility lighting. • Dust control plan.
Paleontological Resources	<ul style="list-style-type: none"> • Name and qualifications of selected paleontologist. • Paleontology monitoring reports. • Summary report including inventory of resources. • Employee education program for paleontology.
Transportation	<ul style="list-style-type: none"> • Train schedules for waste haul to Bolo Station. • Information regarding recommended or approved grade crossings which affect rail routes to Bolo Station. • PUCs annual "Recommended List of Public Crossings in California for Improved Crossing Protection with Federal Funding."
Noise	<ul style="list-style-type: none"> • Operating plans and procedures, including Occupational Safety and Health Administration (OSHA) compliance procedures.
Land Use	<ul style="list-style-type: none"> • Copy of Land Title upon U.S. Bureau of Land Management (BLM) land transfer to Rail•Cycle.
Socioeconomics	<ul style="list-style-type: none"> • Employee training program.

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CHAPTER 2.0
MITIGATION MEASURES

2.0 MITIGATION MEASURES

1. To assure that the environmental impacts from the project are reduced to below a level of significance or mitigated to the extent practical, the following mitigation measures shall be implemented by Rail•Cycle (the proponent), the County of San Bernardino (County), and/or the U.S. Bureau of Land Management (BLM) during the construction, operations, closure, and postclosure maintenance periods of the Bolo Station Landfill.

GEOLOGY AND SOILS

- G-1 Structures onsite shall be engineered and constructed per the Uniform Building Code to withstand the maximum probable acceleration with little or no damage. (Draft EIR/EIS)
- G-2 The landfill shall be designed and constructed as required by California Code of Regulations (CCR) Title 14 and Title 23 to withstand the expected ground motions and potential effects of seismic stability, liquefaction, subsidence and differential settlement. (Draft EIR/EIS)
- G-3 A postearthquake inspection plan shall be developed. An inspection of the structures and landfill shall be conducted after a M5.0 or greater earthquake within 50 miles of the site. Damage incurred during a seismic event shall be mitigated as soon as practical after the event. (Draft EIR/EIS)
- G-4 Excavation prior to landfilling shall be based on the highest anticipated ground water elevations (i.e., without pumping from nearby wells such as those operated by Cargill) and capillary rise, and shall be designed to offset the expected ground settlement while maintaining a minimum separation of 5 feet between waste and ground water. (Draft EIR/EIS)
- G-5 Landfill pipes and elements shall be designed to withstand or reduce forces applied by settling waste. Flexible or adjustable connections shall be used for piping at interfaces between cells and around the landfill perimeter. (Draft EIR/EIS)
- G-6 A monitoring plan shall be developed to evaluate whether the leachate and landfill gas collection systems are operating efficiently. (Draft EIR/EIS)
- G-7 Clay cover materials shall be specified and monitored to minimize settlement of landfill cover and to assure the integrity of the cover and surface drainage systems. (Draft EIR/EIS)

- G-8 Waste disposal shall not take place in a cell until a subsurface geologic investigation has confirmed that the cell is free of Holocene faulting or other geologic hazards. The subsurface investigation may consist of geologic logging of cell walls during cell excavation or by other means approved by the Regional Water Quality Control Board (RWQCB) and County Geologist. Should active faulting or geologic hazards be encountered, appropriate setbacks shall be provided and if necessary, the cell(s) shall be reconfigured within the approved limits of the landfill. (Final)

MINERAL RESOURCES

- M-1 The composite liner system, leachate collection system, landfill gas collection system, and final cover are designed to prevent contamination to underlying ground water. The components of the landfill liner or their equivalents which shall be installed are:
- Prepared slope subgrade.
 - Vadose zone monitoring layer.
 - 60-mil high density polyethylene (HDPE) (secondary liner) or equivalent flexible membrane liner (FML).
 - Geonet drainage layer and collection trench and pipe (secondary collection).
 - Geosynthetic clay liner (primary liner).
 - 60-mil HDPE (primary liner) or equivalent FML.
 - Geonet drainage layer collection trench and pipe (primary collection).
 - Nonwoven geotextile silt filter layer.
 - A 2-foot thick protective soil layer.
 - Selected waste (initial lift will be screened to remove objects that could damage liner).
- M-2 Ground water and landfill gas monitoring systems have been designed to detect contamination in the event that ground water contamination occurs. If water protection standards included in the WDRs are not met, Rail•Cycle shall implement a corrective action program to remediate the affected ground water. (Draft EIR/EIS)
- M-3 A financial assurance program, funded by Rail•Cycle shall be established to pay entities involved, including the federal government, for increased purification costs or loss of a mineral resource. (Draft EIR/EIS)

- M-4 Dust and other airborne contaminants which could potentially impact salt evaporators shall be controlled by frequent watering of unpaved roads and working areas, and operation of a landfill gas collection system. (Draft EIR/EIS)

HYDROLOGY

- H-1 Stormwater run-on and runoff control structures, including temporary and permanent diversion ditches, sedimentation and retention basins, shall be designed, constructed and maintained for the 100-year, 24-hour storm. (Supplement)
- H-2 An earthen drainage channel shall be constructed to intercept and divert the stormwater to the perimeter drainage channel system along the east and west boundaries of the proposed landfill. This channel shall collect water flowing south of the railbed, redirect it around the perimeter of the landfill, and discharge it from the south side of the site. This channel shall also intercept sheet flow runoff from the unloading area and railyard, and other nonlandfill areas adjacent to the channels. (Draft EIR/EIS)
- H-3 Sedimentation basins and energy dissipaters shall be installed at the discharging end of the drainage channels to reduce flow velocity and resulting erosion. (Draft EIR/EIS)
- H-4 Surface runoff from the active landfill module, provided it has not come in contact with waste, shall be collected via temporary diversion ditches which shall be constructed in each module or cell during the period it remains open for landfilling. Uncontaminated stormwater runoff shall be diverted to an unlined collection sump or sedimentation pond. Stormwater that comes in contact with waste at the active face of the landfill shall be retained within the leachate management system. (Draft EIR/EIS)
- H-5 Stormwater runoff shall be diverted to an unlined collection sump and reused for dust control within the active work area only. The sump shall be designed to hold the runoff from the 100-year, 24-hour storm event and shall be immediately repaired and enlarged if overfilling or erosion damage occurs. (Draft EIR/EIS)
- H-6 The landfill shall be protected from the 100-year flood. Engineered berms (or approved alternative redesign or protection measure) shall be constructed on the perimeter of the landfill to protect the portions of Landfill Cell Nos. 11, 12, and 18 (per the refined landfill plan) from the 100-year floodplain. (Supplement)

- H-7 In consultation with the County Land Development Department (Engineering/Drainage Section), Rail•Cycle shall monitor and map drainage flows in the affected area of Chambless Wash. Based on this monitoring and in consultation with the County Land Development Department, protective measures, if any, would be identified prior to developing this portion of the site. (Final)

GROUND WATER

- GW-1 To reduce the quantity of water required by the proposed action (Draft EIR/EIS):
- Low-flow plumbing fixtures shall be installed in onsite facilities.
 - Washwater from cleaning waste containers shall be collected, treated, and reused for container washing.
 - Surface runoff from the landfill shall be retained in the sedimentation basin, and if necessary, treated and used for dust control.
- GW-2 Total onsite ground water pumping rates at the onsite well shall be limited to 1,400 gallons per minute for the duration of the initial construction period (approximately 90 days) and 100 gallons per minute on average, for the remaining duration of the active life of the landfill (60 to 100 years). (Supplement)
- GW-3 A perimeter gas monitoring system and a vadose zone monitoring system (beneath the landfill liner) shall be implemented to provide early warning of landfill gas migration. (Draft EIR/EIS)
- GW-4 The composite liner system, leachate collection system, landfill gas collection system, and final cover are designed to prevent contamination to underlying ground water. The components of the landfill liner or their equivalents which shall be installed are: (Draft EIR/EIS)
- Prepared slope subgrade.
 - Vadose zone monitoring layer.
 - 60-mil HDPE (secondary liner) or equivalent FML.
 - Geonet drainage layer and collection trench and pipe (secondary collection).
 - Geosynthetic clay liner (primary liner).
 - 60-mil HDPE (primary liner) or equivalent FML.
 - Geonet drainage layer collection trench and pipe (primary collection).
 - Nonwoven geotextile silt filter layer.
 - A 2-foot thick protective soil layer.
 - Selected waste (initial lift will be screened to remove objects that could damage liner).
- GW-5 Two leachate collection systems shall be constructed in each cell: one directly above the top FML, and the other between the top FML and the geosynthetic clay liner. (Draft EIR/EIS)

- GW-6 The final cover shall consist of the following components or equivalents: (Final)
- Two-foot thick foundation layer.
 - One and one-half feet of clay (or equivalent having a permeability of 1×10^{-7} cm/sec) or less.
 - Two to three feet of topsoil.
- GW-7 Point of compliance monitoring wells shall be spaced along the downgradient edges of the landfill footprint to provide a detection monitoring system. Screened intervals and the specific location of these wells shall be determined in consultation with the RWQCB. (Draft EIR/EIS)
- GW-8 Ground water and landfill gas monitoring systems have been designed to detect contamination in the event that ground water contamination occurs. If water protection standards are exceeded, Rail•Cycle shall implement a corrective action program to remediate the affected ground water. (Draft EIR/EIS)
- GW-9 A financial assurance program, funded by Rail•Cycle shall be established to pay entities involved, including the federal government, for increased purification costs or loss of a mineral resource. (Draft EIR/EIS)
- GW-10 Excavation prior to landfilling shall be based on the highest anticipated ground water elevations (i.e., without pumping from nearby wells such as those operated by Cargill) and capillary rise, and shall be designed to offset the expected ground settlement while maintaining a minimum separation of 5 feet between waste and ground water. (Draft EIR/EIS)
- GW-11 If leachate evaporation ponds are used at the site, they shall be double lined, with a leachate collection system located between the liners to act as a monitoring system. Lysimeters shall be installed beneath the leachate evaporation ponds. (Supplement)

VEGETATION

- V-1 Areas on which no project-related facilities are to be located shall be protected and avoided to the degree possible, during project construction and operations. (Draft EIR/EIS)
- V-2 Construction and operations vehicles shall be restricted to paved roads or designated unpaved roads. (Draft EIR/EIS)

- V-3 Construction support yards shall be restricted, to the extent possible, to areas previously disturbed by construction activities. (Draft EIR/EIS)
- V-4 Landfill cells shall be revegetated as a final step in the closure of each cell. (Draft EIR/EIS)
- V-5 A revegetation plan shall be developed utilizing applicable methods developed by the National Park Service (NPS) at the Joshua Tree National Monument. This plan shall be developed in consultation with the NPS and shall include a native plant seed mixture to be used for revegetation. (Final)
- V-6 A nursery shall be established for germination and growth of native plants for use in revegetation of the landfill. Native plant seedlings grown in the nursery shall then be transplanted to closed landfill cell structures and planted in an island configuration, similar to the surrounding plant communities. (Final)
- V-7 Overhead irrigation may be temporarily used on the landfill sideslopes to assist in the initial establishment of the revegetation; however, only a drip irrigation system shall be used on the top slopes of the landfill. If long-term irrigation is required on the sideslopes a drip system shall be installed. (Final)
- V-8 The topsoil layer shall be 2 to 3 feet and contoured with ridges and depressions. (Final)
- V-9 Wood chips or mulch shall be used as required to control wind and rain erosion. (Final)

WILDLIFE

- W-1 Rail•Cycle shall designate a Field Contact Representative who will be responsible for overseeing compliance with these terms and conditions and for coordination on compliance with the BLM. The Field Contact Representative shall have the authority to halt all construction, operation, and maintenance activities that are in violation of terms and conditions. The Field Contact Representative shall have a copy of all terms and conditions. The Field Contact Representative may be a manager, any other employee, or a contracted biologist. (USFWS)
- W-2 An employee education program shall be received, reviewed, and approved by the USFWS at least 15 days prior to the presentation of the program. The program shall consist of a class or video presented by a qualified biologist (a knowledgeable desert tortoise biologist approved by the USFWS). Wallet-sized cards with important information for workers to carry are recommended. All employees engaged in

activities which may result in a take of desert tortoise shall participate in the education program prior to initiation of work. The program shall cover the following topics at a minimum: (USFWS)

- Distribution of the desert tortoise
- General behavior and ecology of the desert tortoise
- Sensitivity to human activities
- Legal protection
- Penalties for violations of state and federal law
- Reporting requirements
- Project terms and conditions

W-3 Only biologists authorized by the USFWS shall handle desert tortoises. Rail•Cycle shall submit the name(s) of the proposed authorized biologist(s) to the USFWS for review and approval at least 15 days prior to the onset of activities. No construction or operational activities shall begin until an authorized biologist is approved. (USFWS)

W-4 The authorized biologist shall be required on-site during all construction phase activities which may result in a "take" of desert tortoises to monitor construction and minimize take. Construction phase activities include:

- Initial landfill and leachate collection system
- Portions of the railyard and off-loading facility to support a minimum of two trains
- Hazardous waste temporary storage area
- Lined evaporation pond(s), if required
- Water supply and storage facilities
- Fencing of the site
- Utilities network
- Entrance/on-site service roads and railroad overpass
- Public waste drop-off facility
- Visitor center and administration facilities
- Equipment maintenance facilities
- Fuel storage sites

This biologist shall have authority from Rail•Cycle to halt any action that might result in harm to a desert tortoise. (USFWS)

W-5 Except when absolutely required by the operation, cross-country vehicle use by employees shall be prohibited during work and nonwork hours. (USFWS)

W-6 The boundaries of construction areas shall be clearly marked with flagging or stakes. All construction workers shall strictly limit their activities and vehicles to marked areas to eliminate adverse impacts to desert tortoises. All workers shall be instructed that their activities are restricted to marked areas. (USFWS)

W-7 Construction phase activities shall be modified, if possible, to avoid direct impacts to desert tortoises and their burrows. If a desert tortoise or its burrow is found in an area to be disturbed by construction, the

qualified or authorized biologist shall work with the construction supervisor to take steps as necessary, including minor relocation of project features, to avoid damaging a burrow or disturbing a desert tortoise. For burrows outside of the actual area of disturbance, the biologist shall consider the direction the burrow runs, and that burrows may be as long as 30 feet, in determining whether or not action is necessary to avoid take. Any hazards to desert tortoises that may be created, such as auger holes and trenches, shall be monitored by a qualified or authorized biologist at least twice daily for desert tortoises which might become entrapped. (USFWS)

W-8 If, throughout the project life, desert tortoises are found above ground or within burrows in areas to be disturbed by construction or operation of the landfill, it is not possible to avoid such disturbance, and the desert tortoise(s) could be injured or killed by such activities, they shall be relocated by an authorized biologist (see W-7 for definition) a short distance away from the construction zone to habitat which will not be disturbed by further construction or operation activities. If construction activities are short in duration, the authorized biologist may elect to hold the desert tortoise overnight (pursuant to W-17) and release the animal the next day at or near the point of capture after construction activities have been completed. If the relocation occurs in the season of above-ground activity, the desert tortoise shall be placed in the mouth of a burrow of appropriate size or in the shade of a large shrub. If the relocation is not in the season of above-ground activity, the desert tortoise shall be moved on a seasonably warm day and placed at the mouth of a burrow of appropriate size. All excavation of desert tortoise burrows shall be done by hand tools, either by or under the direction of a qualified biologist. If the relocation occurs outside of the season of above-ground activity and the desert tortoise does not enter the burrow, or a burrow is not available, an artificial burrow shall be constructed and the desert tortoise placed within it. Artificial burrows shall be at least 6 feet in length and of the same diameter, depth, and orientation as the one in which the desert tortoise was found or as appropriate for the size of the subject desert tortoise. Wood or plastic materials may be used to strengthen the tunnel and/or chamber of the burrow. In coordination with the USFWS, the authorized desert tortoise biologist shall be allowed some judgment and discretion to ensure that survival of the desert tortoise is likely. (USFWS)

W-9 All relocated desert tortoises shall be marked for future identification. An identification number using the acrylic paint/epoxy covering technique shall be placed on the fourth left costal scute as described in the handling protocol sections of the "Protocols for Handling Live Tortoises" (Arizona Game and Fish Department et al. 1991). Slide photographs (35 millimeter [mm]) shall be taken of the carapace, plastron, and fourth costal scute. No notching is authorized. (USFWS)

W-10 If desert tortoise eggs are located during construction or operation and may be damaged by such activities, they shall be moved in accordance with Attachment A of the general handling protocol sections of the

"Protocols for Handling of Live Tortoises" (Arizona Game and Fish Department et al. 1991). If desert tortoise eggs are incubated in a holding facility and the eggs hatch, the USFWS shall be contacted within five days of hatching concerning disposition of the hatchlings. (USFWS)

W-11 Desert tortoises and their eggs shall be handled only by the authorized biologist and only when necessary. In handling desert tortoises, the authorized biologist shall follow general handling protocols (Arizona Game and Fish Department et al. 1991). New latex gloves shall be used when handling each desert tortoise to avoid the transfer of infectious diseases between animals. Replacement of lost fluids with a syringe is not authorized. If a desert tortoise needs to be moved within three hours of nightfall, or when ambient temperatures are extremely low (i.e., less than 40 degrees Fahrenheit) or high (exceeds 90-degrees Fahrenheit), it shall be placed in a clean disposable cardboard box and held overnight in a cool location. The box shall be covered and kept in possession of an authorized biologist for release of each desert tortoise the next morning in the manner described in W-12. Cardboard boxes used to hold desert tortoises shall be new, used once, and discarded. All materials which come into contact with desert tortoises shall be used only once and then properly discarded to minimize contact with the causative factor(s) for upper respiratory track disease (URTD) or other diseases. (USFWS)

W-12 The authorized biologist shall maintain a record of all desert tortoises handled. This information shall include for each desert tortoise: (USFWS)

- The locations (narrative and maps) and dates of observations.
- General condition and health, including injuries and state of healing and whether animals voided their bladders.
- Location moved from and location moved to.
- Diagnostic markings (i.e., identification numbers or marked lateral scutes).
- Slide photograph (35mm) of each handled desert tortoise.

W-13 Prior to moving a vehicle, workers shall inspect for desert tortoises under the vehicle. If a desert tortoise is present, the authorized biologist shall carefully move or direct the movement of the vehicle only when the desert tortoise would not be injured, or the desert tortoise shall be allowed to move out from under the vehicle on its own. (USFWS)

W-14 Rail•Cycle shall participate in a cooperative raven survey with the BLM. The survey shall be a regional study to assess the density and location of ravens within a 30-mile radius of the project site. The raven study, initiated in December 1992, shall continue for one year prior to the startup of landfill operations. The study may be conducted up to five years following the startup of operations. Should monitoring indicate that, despite passive control measures taken at the landfill, the raven population is significantly increasing and is threatening desert tortoise populations, then the BLM and the project proponent shall coordinate with the USFWS to develop further measures, including alteration of landfill operations, or

any other measures necessary to eliminate the threat. The BLM and the project proponent shall coordinate all study efforts and results through a raven monitoring control group. The control group should have representation from the BLM, USFWS, Department of Fish and Game (DFG), Rail•Cycle, and any other agency representative or individual that the state and Federal agencies believe appropriate. The raven monitoring control group would oversee the raven monitoring and control program, evaluate monitoring data, and make decisions on the timing and implementation of actions to reduce raven use of the landfill. (USFWS)

- W-15 With the exception of storm water retention ponds, no ponded water shall remain onsite for more than 24-hours to avoid watering of potential desert tortoise predators. Fish-netting would be erected above all stormwater retention ponds to exclude avian predators. (USFWS)
- W-16 All trash and food items shall be promptly contained within closed, raven-proof containers. The containers shall be regularly emptied and/or removed from the project site to reduce attractiveness of the area to ravens and other desert tortoise predators. (USFWS)
- W-17 Structures that may function as raven nesting or perching sites, such as fences and overhead power lines, shall be designed and maintained to limit their usefulness as perches and nest sites to the extent possible. (USFWS)
- W-18 Daily, intermediate, and final cover shall be maintained in accordance with CCR Title 23. The cover material shall be applied as follows: (USFWS)
- Daily cover shall consist of a 6-inch thick layer of soil or an equivalent alternative cover if permissible under the solid waste facilities permit.
 - Intermediate cover shall be applied to all landfill waste when the area is to be left for an extended period of time (i.e., intermediate slope between cells) while landfilling operations are carried on in adjacent cells.
 - Final cover shall be applied in accordance with the closure/postclosure requirements of the solid waste facilities permit. Beginning with cell No. 1, and following maximum filling of the cell, closure plans will be enacted. The cell shall be planted with typical native desert flora.
- W-19 Debris fencing and facility operations shall be designed and installed to prevent wind-transport of trash. During high wind periods, landfilling operations shall be carried out in wind-berm protected areas. Debris fences shall be maintained downwind from the working face to trap blowing debris. Debris fences shall be cleaned on a frequent basis, a minimum of once daily. Debris not collected on the fences shall be policed daily or on an as-needed basis to prevent cluttering of downwind areas. (USFWS)

- W-20 Nylon lines shall be erected and maintained over the working face of the landfill to deter ravens and other avian predators from feeding on exposed refuse. Surface impoundments shall have nylon lines erected to deter avian predators. (USFWS)
- W-21 The working face of the landfill shall be sized to control raven and other scavenger feeding. The working face shall be covered at the end of each working day and/or any period of time when work at the face is stopped due to unforeseen events, such as weather. (USFWS)
- W-22 No later than 90 days following completion of the construction phase, the Field Contact Representative and/or biological monitor shall submit a report to the USFWS's Ventura Field Office. The report shall document the effectiveness of the desert tortoise mitigation measures, the number of desert tortoises excavated from burrows, and the number of desert tortoises moved from construction sites. The report shall make recommendations for modifying or refining these terms and conditions to enhance desert tortoise protection and reduce needless hardship on the project proponent. If desert tortoises are taken after completion of the construction phase, such take shall be reported to the USFWS pursuant to mitigations W-27 and W-28. (USFWS)
- W-23 Upon locating dead, injured, or sick desert tortoises, initial notification must be made to the USFWS's Law Enforcement Office in Torrance, California at (310) 297-0062 within three working days of its finding. Written notification must be made within five calendar days and include the date, time, and location of the animal, a photograph, and any other pertinent information. The notification shall be sent to the USFWS's Torrance office with a copy to the Ventura Field Office. Care must be taken in handling sick or injured animals to ensure effective treatment and care, and in handling dead specimens to preserve biological material in the best possible state. If possible, the remains of intact desert tortoises shall be placed with educational or research institutions holding the appropriate State and Federal permits. If such institutions are not available or the shell has been damaged, the information noted above shall be obtained and the carcass left in place. The carcass shall be marked in a manner that would not be toxic to other wildlife to ensure that it would not be rerecorded in the future. (USFWS)
- W-24 Arrangements regarding proper disposition of potential museum specimens shall be made with the institution prior to disposition. Injured animals shall be transported to a qualified veterinarian by an authorized desert tortoise biologist. Should any treated desert tortoises survive, the USFWS shall be contacted regarding the final disposition of the animals.

- W-25 An authorized biologist shall be designated as the only person permitted to handle any kit fox encountered during project construction or operation and shall be responsible for any relocation of kit fox during project construction or operation activities and shall maintain a record of all kit fox that are handled. (Draft EIR/EIS)
- W-26 Kit foxes located onsite shall be trapped and relocated to similar offsite environments in the near vicinity. (Draft EIR/EIS)

AIR QUALITY

- AQ-1 Permanent onsite roadways shall be paved to minimize fugitive dust emissions. (Draft EIR/EIS) Roads which shall be used for an extended period of time (e.g., five to ten years) to haul containers from the railyard/offloading facility to the active working face shall also be paved. (Supplement)
- AQ-2 A miscellaneous crushed base shall cover unpaved roadways to minimize fugitive dust emissions. (Draft EIR/EIS)
- AQ-3 Unpaved roadways shall be sprayed regularly with water and/or chemical dust suppressants to minimize fugitive dust emissions. (Draft EIR/EIS)
- AQ-4 Chemical binding agents shall be applied to cover stockpiles to minimize wind erosion emissions. (Draft EIR/EIS)
- AQ-5 Construction sequence shall be designed to minimize double handling of cover soils. (Draft EIR/EIS)
- AQ-6 Daily cover or an alternative daily cover, as permitted, shall be placed over the compacted in-place waste during the day and over the working face at the end of each day to control odors. (Draft EIR/EIS)
- AQ-7 Completed landfill cells shall be revegetated to minimize wind erosion emissions. (Draft EIR/EIS)
- AQ-8 Low-sulfur diesel fuel of 0.05 percent shall be used to minimize sulfur dioxide (SO₂) particulate matter (PM₁₀) precursor emissions. (Draft EIR/EIS)
- AQ-9 Rail•Cycle shall use engines in heavy duty diesel trucks meeting advanced emission standards for highway vehicles. (Supplement)

- AQ-10 Landfill operating equipment shall be replaced when new equipment meeting higher standards becomes available. (Supplement)
- AQ-11 Rail•Cycle shall evaluate leachate and condensate treatment systems currently in use or proposed for use at other landfills. Depending on the results of this evaluation, and in consultation with the Local Enforcement Agency (LEA), California Integrated Waste Management Board (CIWMB), Mojave Desert Air Quality Management District (MDAQMD), and Planning Department, Rail•Cycle shall implement a specific method to control VOCs from the evaporation/or reintroduction of leachate and condensate at the landfill. (Supplement)
- AQ-12 Rail•Cycle shall determine, in consultation with the LEA and CIWMB, the optimum size of the working face to minimize VOC emissions. (Final)
- AQ-13 A landfill gas collection system and associated landfill gas flare or other permitted landfill gas control device shall be operated to minimize toxic air contaminant emissions. (Draft EIR/EIS)
- AQ-14 High combustion efficiency/low mixture of nitrous oxide and nitrous dioxide (NO_x) flare shall be used to minimize oxygen (O_3) precursor emissions. The flare shall be replaced as the project matures by a gas turbine and then a steam boiler, both capable of producing electricity (or alternate systems reflecting best available technology at the time of energy recovery). (Draft EIR/EIS)
- AQ-15 Ridesharing and vanpool programs for landfill employees shall be implemented where feasible. (Draft EIR/EIS)
- AQ-16 Rail•Cycle shall contribute to funding of public transportation or ride sharing systems for local communities in the Southeast Desert Air Basin (SEDAB). (Supplement)
- AQ-17 Rail•Cycle shall contribute to funding of a program to retire older, high pollution vehicles in the SEDAB. (Supplement)
- AQ-18 Rail•Cycle, through ATSF, shall actively participate in region-wide efforts to develop strategies to reduce locomotive emissions. (Final)

PUBLIC HEALTH AND SAFETY

- PH-1 Rail•Cycle shall comply with state and federal procedures to provide prevention of and response to fires. (Draft EIR/EIS)
- PH-2 Rail•Cycle shall include provision of facilities for fire and paramedic, including trained response personnel and equipment. (Draft EIR/EIS)
- PH-3 Fire extinguishers shall be located throughout the project site. (Final)
- PH-4 Fire hydrants and hoses shall be located to service facilities. (Final)
- PH-5 In compliance with the County Fire Code, 180,000 gallons of water shall be reserved for firefighting purposes. (Draft EIR/EIS)
- PH-6 Rail•Cycle shall construct a new County fire station at the entrance to the landfill. (Draft EIR/EIS)
- PH-7 Water truck and tankers utilized in the landfill operation shall be available to support the dedicated fire engine, if needed. (Final)
- PH-8 Rail•Cycle shall site, design and construct a temporary hazardous waste storage area that meets the requirements of California Health and Safety Code Title 22. (Draft EIR/EIS)
- PH-9 Rail•Cycle shall comply with state and federal requirements, including preparation and implementation of Spill Prevention Control and Countermeasures (SPCC) plan and design, construction, and operation of facilities in accordance with the Oil Pollution Action of 1990, National Fire Protection Association guidelines, and Uniform Fire Code. (Draft EIR/EIS)
- PH-10 SPCC plan to include a prevention and response plan for small spills and leaks that can occur during mobile equipment fueling. (Draft EIR/EIS)
- PH-11 Areas or locations for storage of various lubricating oils, hydraulic fluids, and waste oils for recycling shall be designed and operated in accordance with an SPCC plan. Areas shall be properly signed, fenced, and constructed on a concrete pad with proper containment. (Draft EIR/EIS)

- PH-12 Design features shall be implemented to minimize operational spills and drips, and to collect spills and drips that occur for recovery and recycling. Fuel unloading equipment and onsite storage tanks that unload from the top to prevent spills shall be used/installed. (Draft EIR/EIS)
- PH-13 Site safety engineers and landfill personnel shall receive specific hazardous waste materials (HAZMAT) training for handling and disposing of hazardous material/waste. Personnel with HAZMAT training shall be onsite during landfill operating hours. Key safety engineers shall be on 24-hour call to respond to a HAZMAT incident. (Final)
- PH-14 Stored materials shall be identified as to their risk of fire, and adequate and proper containment shall be used. (Final)
- PH-15 Procedures for screening local inbound waste to Bolo Station, and training for operators at the material recycling facility (MRFs) (or other processing facilities), public drop-off facility and landfill working face, shall be implemented by the operator to preclude landfill disposal of hazardous wastes, and to minimize exposure to workers and other persons. (Draft EIR/EIS)
- PH-16 Rail•Cycle shall prepare site-specific community and employee right-to-know programs in accordance with state and federal requirements. (Draft EIR/EIS)
- PH-17 Controls including, but not limited to, litter and security fencing, litter policing and inspection, and response to vector issues shall be implemented to minimize nuisance vectors, litter, and odors. (Draft EIR/EIS)
- PH-18 The litter control program shall include reduction of the size of the working face or curtailment of waste disposal operations during periods of extremely high wind velocity. (Supplement)
- PH-19 The optimum size of the working face for anticipated daily waste volumes and to minimize litter and odors shall be determined in consultation with the LEA and CIWMB. (Final)
- PH-20 A solid waste disposal system shall be established at the project site to assure appropriate disposal. (Final)
- PH-21 Subject to the cooperation of Cadiz Land Company (CLC), an insect monitoring and trapping program shall be implemented at the landfill site and CLC's agricultural areas to determine baseline insect populations. This monitoring program, which shall be conducted by a consultant selected jointly by

Rail•Cycle and CLC, shall be continued on an annual basis after the landfill is operational to verify that insects are not being introduced to CLC's agricultural lands by waste operations. (Final)

VISUAL RESOURCES

- VR-1 The final surface shall be contoured in an undulating pattern so as to blend with surrounding topography. (Draft EIR/EIS)
- VR-2 The final surface shall be revegetated for runoff control and to enhance visual blending with the surrounding area. (Draft EIR/EIS)
- VR-3 Procedures to prevent illegal dumping in the site vicinity shall be established and enforced as part of the site management plan. (Draft EIR/EIS)
- VR-4 Procedures to minimize the presence of litter on the operating landfill shall be established by Rail•Cycle as part of its site management plan. (Draft EIR/EIS)
- VR-5 Onsite lighting shall be directed inward and downward to minimize offsite illumination. (Draft EIR/EIS)
- VR-6 Onsite lighting shall be shielded. (Draft EIR/EIS)
- VR-7 Dust control measures shall be rigorously maintained to minimize emission of fugitive dust. (Draft EIR/EIS)

CULTURAL

- C-1 Construction and operations personnel shall be briefed on the "no collection" policy for cultural resources that are present both onsite and offsite. (Draft EIR/EIS)
- C-2 Information on prehistoric and historic land use of the project area shall be included in interpretive displays at the visitor's center. In addition, public information signs that advise of the provisions of the Archaeological Resources Protection Act of 1979, as amended and penalties for unauthorized artifact collection and disturbance of historic properties will be posted in the visitor's center. (Draft EIR/EIS)
- C-3 An archaeological monitor shall be present during grading and construction of the access road, and during subsequent development of landfill. (Draft EIR/EIS)

- C-4 Signs shall be placed along the landfill to indicate that the access road follows the National Old Trails Road. Turnouts at each end of the segments of the old road used as an access road will contain interpretive signs and information. (Draft EIR/EIS)

PALEONTOLOGICAL RESOURCES

- P-1 Resource evaluation shall be conducted that includes known onsite resource localities and prioritizing of significant sites relative to focused research, scientific value, and potential for project effects. (Draft EIR/EIS)
- P-2 Field salvage by a qualified paleontologist shall consist of the following (Draft EIR/EIS):
- Inspection and removal of fossils at the most significant localities observed during previous field assessment.
 - Excavation monitoring to identify areas likely to contain significant paleontological resources.
- P-3 Compliance shall include identifying, curating, and permanently housing recovered fossils, and providing a report that indicates a paleontological resource mitigation program has been completed. (Draft EIR/EIS)
- P-4 Construction and operations personnel shall be briefed as to the proper procedures when working with a paleontological monitor and when fossils are discovered in an unmonitored situation. They shall also be briefed on the "no collection" policy for paleontological resources. (Draft EIR/EIS)

TRANSPORTATION

- T-1 Turning lanes shall be provided on National Trails Highway at entrance to the site. (Draft EIR/EIS)
- T-2 In the event that project implementation requires the importation of clay materials via trucks from a source that requires the use of Kelbaker Road for landfill construction, the applicant shall be responsible for a proportional share of the maintenance and repairs to Kelbaker Road from Interstate 40 to National Trail Highway, and National Trails Highway from Kelbaker Road to the project entrance. (Final)
- T-3 Trains hauling waste to the landfill shall be scheduled to operate in urban areas during late night or early morning hours. (Draft EIR/EIS)

- T-4 Ridesharing and vanpool programs for landfill employees shall be implemented. (Draft EIR/EIS)

NOISE

- N-1 Rail•Cycle shall implement an employee hearing protection program that shall specifically address equipment operators and other personnel working on or near heavy equipment. (Draft EIR/EIS)
- N-2 Onsite structures within noise contours exceeding 65 A-weighted decibel (dBA) (400 to 500 feet from the landfill and 100 to 200 feet from offloading facility) shall be designed for appropriate noise attenuation. (Draft EIR/EIS)

LAND USE

- L-1 A land exchange in fee shall occur consistent with BLM regulations and policies. (Draft EIR/EIS)
- L-2 Additional California Environmental Quality Act (CEQA) analysis shall be required if more than 250,000 cubic yards of clay must be imported to the landfill during any six-month period. (Final)

SOCIOECONOMICS

- S-1 Rail•Cycle shall hire from the local labor force to the extent possible to minimize the effect on local population fluctuations. (Draft EIR/EIS)
- S-2 To the extent practicable, Rail•Cycle shall retain temporary construction personnel for permanent landfill employment positions. (Draft EIR/EIS)
- S-3 Rail•Cycle shall implement an ongoing training program so that persons initially hired for basic positions would be able to improve their skills and their employment status. (Draft EIR/EIS)
- S-4 Impacts to schools based on population increases within the project region would be mitigated indirectly through the development of new housing units and the assessment of developers' impact fees or establishment of a Community Facilities District ("Mello Roos" District) and tax assessment to fund construction of new school facilities. (Draft EIR/EIS)
- S-5 Telephone service shall be established at the project site to serve the landfill. (Draft EIR/EIS)

- S-6 A potable water supply and distribution system shall be established at the project site to serve the needs of landfill personnel, contractors, and visitors. (Draft EIR/EIS)
- S-7 Rail•Cycle shall make available to the appropriate LEAs and the CIWMB information within its control regarding waste volumes and recovery rates at MRFs from which waste is disposed of at Bolo Station. To the extent that such information is available, reports will include the following for each MRF sending residual waste to Bolo Station: (Final)
- Gross waste receipts.
 - Total volume of materials diverted for purpose of recycling, composting, or reuse by major commodity type (i.e., paper products, glass, plastic, metals and yard wastes).
 - Total volume of residual waste transported to Bolo Station.
 - Location of major end-markets for diverted materials.
- S-8 A wastewater disposal system shall be established at the project site to assure appropriate disposal. (Draft EIR/EIS)

CHAPTER 3.0
MITIGATION MONITORING COMPLIANCE RECORDS

MITIGATION MONITORING COMPLIANCE RECORD**GEOLOGY & SOILS****G-1**

Structures onsite shall be engineered and constructed per the Uniform Building Code to withstand the maximum probable acceleration with little or no damage. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Building plans to be approved by Building and Safety Department.
- Structures to be inspected by Building and Safety Department.

COMPLIANCE RECORD

- Building plans to be approved prior to issuance of building permits.
- Building inspection to occur prior to occupancy certification.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GEOLOGY & SOILS

G-2

The landfill shall be designed and constructed as required by CCR Title 14 and Title 23 to withstand the expected ground motions and potential effects of seismic stability, liquefaction, subsidence and differential settlement.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit Quality Assurance Manual for the Installation of Lining Systems to the RWQCB, LEA, and CIWMB for approval.
- Final landfill design to be approved by the LEA, RWQCB, and CIWMB.
- Landfill to be inspected by the LEA and RWQCB.
- Rail•Cycle to conduct inspections pursuant to the approved Quality Assurance Manual.

COMPLIANCE RECORD

- Design to be approved prior to issuance of Solid Waste Facility Permit (SWFP).
- Periodic inspections by the LEA and discretionary inspections by the RWQCB.
- Periodic inspections by Rail•Cycle as approved in the Quality Assurance Manual.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GEOLOGY & SOILS

G-3

A postearthquake inspection plan shall be developed. An inspection of the structures and landfill shall be conducted after a magnitude (M) 5.0 or greater earthquake within 50 miles of the site. Damage incurred during a seismic event shall be mitigated as soon as practical after the event. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Postearthquake inspection plan to address structures and the landfill to be prepared by Rail•Cycle.
- LEA and RWQCB to review and approve plan for landfill.
- Rail•Cycle to submit approved postearthquake inspection plans to Planning Department, Environmental Section.
- Rail•Cycle shall conduct the inspections pursuant to adopted plan and shall maintain the reports on file at the landfill.
- LEA, Planning Department, Environmental Section, and Building and Safety Department to review inspection reports and conduct inspections upon discretion of agency/department.
- Structure and landfill damage to be repaired by Rail•Cycle pursuant to requirements of Building and Safety Department, the LEA and RWQCB.

COMPLIANCE RECORD

- Plan to be submitted to the Planning Department, Environmental Section, prior to issuance of the SWFP.
- Inspections, mitigation and monitoring schedule to be outlined and implemented in accordance with approved postearthquake inspection plan.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GEOLOGY & SOILS

G-4

Excavation prior to landfilling shall be based on the highest anticipated ground water elevations (i.e., without pumping from nearby wells such as those operated by Cargill) and capillary rise, and shall be designed to offset the expected ground settlement while maintaining a minimum separation of 5 feet between waste and ground water.
(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Final grading design to be submitted by Rail•Cycle to the LEA (as included in the Report of Site Disposal Information [RDSI]) and RWQCB.
- Rail•Cycle to submit copy of final grading plans to Planning Department, Environmental Section.
- Landfill excavation to be inspected by the LEA and RWQCB.

COMPLIANCE RECORD

- Final grading plan to be submitted and approved prior to issuance of building permits, SWFP and waste discharge requirement (WDRs).
- Ongoing inspections by the LEA and RWQCB during project phases prior to opening each landfill cell for waste disposal.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GEOLOGY & SOILS

G-5

Landfill pipes and elements shall be designed to withstand or reduce forces applied by settling waste. Flexible or adjustable connections shall be used for piping at interfaces between cells and around the landfill perimeter.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Final landfill system design (including piping and other subsurface systems) to be submitted by Rail•Cycle to the LEA, RWQCB, and CIWMB.
- The LEA, RWQCB, and CIWMB to review and approve landfill system design.
- The RWQCB to inspect systems upon installation.
- Rail•Cycle to maintain files demonstrating compliance to approved system plans.
- LEA to review files and inspect facilities upon discretion.

COMPLIANCE RECORD

- Landfill systems to be approved by the LEA, RWQCB, and CIWMB prior to issuance of SWFP and WDRs.
- The RWQCB inspections to occur prior to opening each landfill cell for waste disposal.
- LEA inspections upon discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GEOLOGY & SOILS

G-6

A monitoring plan shall be developed to evaluate whether the leachate and landfill gas collection systems are operating efficiently. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Monitoring well and vadose zone gas monitoring plans to be submitted by Rail•Cycle to the LEA, Planning Department, Environmental Section (as included in ROWD and RDSI), RWQCB, and CIWMB.
- Monitoring systems to be approved by the LEA, RWQCB, and CIWMB.
- LEA and RWQCB to inspect monitoring systems.
- Periodic monitoring reports to be submitted to the LEA and RWQCB in accordance with approved monitoring plans.

COMPLIANCE RECORD

- Monitoring plans to be submitted and approved prior to issuance of SWFP.
- RWQCB inspections upon system installation, on periodic basis during landfill operation, closure of each cell and closure of the landfill, and during the postclosure monitoring period.
- LEA inspections upon discretion of agency.
- Copies of monitoring reports to be provided to the LEA and RWQCB.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GEOLOGY & SOILS

G-7

Clay cover materials shall be specified and monitored to minimize settlement of landfill cover and to assure the integrity of the cover and surface drainage systems. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit design plans for final cover to RWQCB, the LEA and CIWMB.
- RWQCB, the LEA, and CIWMB to approve final cover design.
- RWQCB and the LEA to inspect cover and evaluate cover integrity.
- Rail•Cycle to implement a monitoring program to evaluate cover integrity. Based on the results of this monitoring program, Rail•Cycle shall implement appropriate maintenance on repair measures to assure continued integrity of the cover.
- Rail•Cycle to provide copy of SWFP (including approved closure plan) to Planning Department, Environmental Section.

COMPLIANCE RECORD

- Final cover design to be approved prior to issuance of SWFP.
- Periodic visual monitoring and surveys.
- Maintenance/modifications to be implemented upon requirement of RWQCB and/or the LEA.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GEOLOGY & SOILS

G-8

Waste disposal shall not take place in a cell until a subsurface geologic investigation has confirmed that the cell is free of Holocene faulting or other geologic hazards. The subsurface investigation may consist of geologic logging of cell walls during cell excavation or by other means approved by the RWQCB and County Geologist. Should active faulting or geologic hazards be encountered, appropriate setbacks shall be provided and if necessary, the cell(s) shall be reconfigured within the approved limits of the landfill. (Final)

IMPLEMENTATION AND VERIFICATION

- A geologic report for each cell as identified by the RWQCB and County Geologist, shall be prepared by a California Registered Geologist and shall be submitted by Rail•Cycle to the County Geologist, Building and Safety Department, and RWQCB for review and approval.
- Rail•Cycle to submit a copy of the geologic report for each cell to the Planning Department.
- Design modifications, if determined necessary, shall be reviewed and approved by the County Geologist, and RWQCB.

COMPLIANCE RECORD

- Report and design modifications, if necessary to be approved prior to waste disposal in the subject cell.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

MINERAL RESOURCES

M-1

The composite liner system, leachate collection system, landfill gas collection system, and final cover are designed to prevent contamination to underlying ground water. The components of the landfill liner or their equivalents which shall be installed are listed under this mitigation measure (M-1) in Chapter 2.0 of this Mitigation Monitoring Program. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Final systems and cover design to be developed by Rail•Cycle and submitted for approval to the LEA, RWQCB, and CIWMB.
- Rail•Cycle to meet the liner requirements contained in the SWFP and WDRs.
- Upon approval and installation, and prior to the landfill cell receiving waste, the liner system will be inspected by the LEA and RWQCB.

COMPLIANCE RECORD

- Final approval of systems design as part of the issuance of SWFP and WDRs.
- LEA inspections upon system installation, on periodic basis during landfill operation (monthly) and upon postclosure. RWQCB inspections upon discretion of agency.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

MINERAL RESOURCES

M-2

Ground water and landfill gas monitoring systems have been designed to detect contamination in the event that ground water contamination occurs. If water protection standards included in the WDRs are not met, Rail•Cycle shall implement a corrective action program to remediate the affected ground water. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- RWQCB to review periodic monitoring reports (per approved monitoring program), and identify and verify contamination.
- Rail•Cycle to develop and implement corrective action program in consultation with RWQCB.

COMPLIANCE RECORD

- On-going ground water and vadose zone monitoring and reporting per monitoring program to be approved by the LEA, RWQCB, and CIWMB (see Measure G-6).
- Schedule for corrective action would be detailed in program developed in consultation with, and approved by RWQCB.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
MINERAL RESOURCES

M-3

A financial assurance program, funded by Rail•Cycle shall be established to pay entities involved, including the federal government, for increased purification costs or loss of a mineral resource. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- A financial assurance program shall be established by Rail•Cycle.
- The selected financial assurance instrument will be approval by the RWQCB, and CIWMB.
- Rail•Cycle to provide documentation of approved financial assurance instrument to the Planning Department.

COMPLIANCE RECORD

- Program to be approved and in place prior to issuance of WDRs.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
MINERAL RESOURCES

M-4

Dust and other airborne contaminants which could potentially impact salt evaporators shall be controlled by frequent watering of unpaved roads and working areas, and operation of a landfill gas collection system. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit dust control plan and operations plan (as part of SWFP) to the LEA and Planning Department, Environmental Section.
- Onsite inspections during construction and landfill operation to be conducted by Rail•Cycle.
- Rail•Cycle to maintain file of daily inspection reports.
- LEA to conduct discretionary review of inspection reports and inspections.

COMPLIANCE RECORD

- Dust control plan to be prepared prior to issuance of the SWFP.
- LEA to review reports and conduct inspections at agency discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

HYDROLOGY

H-1

Stormwater run-on and runoff control structures, including temporary and permanent diversion ditches, sedimentation and retention basins, shall be designed, constructed and maintained for the 100-year, 24-hour storm. (Supplement)

H-2

An earthen drainage channel shall be constructed to intercept and divert the stormwater to the perimeter drainage channel system along the east and west boundaries of the proposed landfill. This channel shall collect water flowing south of the railbed, redirect it around the perimeter of the landfill, and discharge it from the south side of the site. This channel shall also intercept sheet flow runoff from the unloading area and railyard, and other nonlandfill areas adjacent to the channels. (Draft EIR/EIS)

H-3

Sedimentation basins and energy dissipaters shall be installed at the discharging end of the drainage channels to reduce flow velocity and resulting erosion. (Draft EIR/EIS)

H-4

Surface runoff from the active landfill module, provided it has not come in contact with waste, shall be collected via temporary diversion ditches which shall be constructed in each module or cell during the period it remains open for landfilling. Uncontaminated stormwater runoff shall be diverted to an unlined collection sump or sedimentation pond. Stormwater that comes in contact with waste at the active face of the landfill shall be retained within the leachate management system. (Draft EIR/EIS)

H-5

Stormwater runoff shall be diverted to an unlined collection sump and reused for dust control within the active work area only. The sump shall be designed to hold the runoff from the 100-year, 24-hour storm even, and shall be immediately repaired and enlarged if overfilling or erosion damage occurs. (Draft EIR/EIS)

H-6

The landfill shall be protected from the 100-year flood. Engineered berms (or approved alternative redesign or protection measure) shall be constructed on the perimeter of the landfill to protect the portions of Landfill Cell Nos. 11, 12, and 18 (per the refined landfill plan) from the 100-year floodplain. (Supplement)

IMPLEMENTATION AND VERIFICATION

- Conceptual drainage design to be submitted for review and approval as part of the ROWD and RDSI to be submitted to the LEA and RWQCB, and CIWMB, respectively.
- Rail•Cycle to submit a Drainage Plan to the County Land Development Department (Engineering/Drainage Section) for review and approval. This approval excludes areas within the landfill footprint.
- Rail•Cycle to submit a copy of the approved Drainage Plan to the Planning Department, Environmental Section.
- Rail•Cycle to inspect and evaluate drainage control structures for their effectiveness in achieving RWQCB discharge requirements.
- Drainage improvements to be inspected by the County Land Development Department and RWQCB according to their respective jurisdictions.
- Drainage structures shall be maintained by Rail•Cycle.

COMPLIANCE RECORD

- Drainage plans to be approved prior to issuance of SWFP, WDRs, and building permits.
- Rail•Cycle shall inspect and evaluate effectiveness of drainage control structures on a quarterly basis.
- Rail•Cycle shall submit a drainage control system maintenance report annually (December, 31st) to the LEA and RWQCB.
- Inspections to occur upon improvement construction and per the discretion of each agency/department.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

HYDROLOGY

H-7

In consultation with the County Land Development Department (Engineering/Drainage Section), Rail•Cycle shall monitor and map drainage flows in the affected area of Chambless Wash. Based on this monitoring and in consultation with the County Land Development Department, protective measures, if any, would be identified prior to developing this portion of the site. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit proposed monitoring program to County Land Development Department for approval.
- Monitoring to be conducted by Rail•Cycle in accordance with approved plan.
- Protective measures, if required, to be implemented by Rail•Cycle and inspected by County Land Development Department and RWQCB.

COMPLIANCE RECORD

- Monitoring program to be submitted and approved prior to issuance of SWFP and WDRs.
- Monitoring to be conducted and reported to County Land Development Department on periodic basis as required by the County (per approved plan).
- Protective measures to be installed prior to landfill development of this portion of the site (primarily west half of Section 22), and to be inspected upon installation.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-1

To reduce the quantity of water required by the proposed action (Draft EIR/EIS):

- Low-flow plumbing fixtures shall be installed in onsite facilities.
- Wastewater from cleaning waste containers shall be collected, treated, and reused for container washing.
- Surface runoff from the landfill shall be retained in the sedimentation basin, and if necessary, treated and used for dust control.

IMPLEMENTATION AND VERIFICATION

- Building and Safety Department to review building plans (and washing facility plans) and require low-flow plumbing fixtures.
- Building and Safety Department to inspect plumbing as part of building inspections.
- Rail•Cycle to monitor container wastewater prior to reuse, and to prepare and maintain files of monitoring reports at the landfill.
- Rail•Cycle to monitor sedimentation basin water, and treat if necessary. Rail•Cycle to maintain monitoring reports.
- LEA and RWQCB to review reports and conduct inspections at discretion of agency.

COMPLIANCE RECORD

- Building plan approval prior to issuance of building permits.
- Building inspections prior to occupancy permit issuance.
- Wastewater quality monitored and treated prior to reuse for container washing.
- Water quality monitoring and treatment prior to use of sedimentation basin water for dust control outside of active landfill area.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-2

Total onsite ground water pumping rates shall be limited to 1,400 gallons per minute for the duration of the initial construction period (approximately 90 days) and 100 gallons per minute on average, for the remaining duration of the active life of the landfill (60 to 100 years). (Supplement)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide ground water pumping reports during landfill construction and operation to the Planning Department, Environmental Section.
- Planning Department, Environmental Section to evaluate reports to determine if allowed limits are exceeded. If exceeded, notice to be provided to Rail•Cycle of necessary limits to comply with required average pumping level.

COMPLIANCE RECORD

- Rail•Cycle to provide monthly pumping reports during construction, a summary report at the end of construction, and annual reports throughout the duration of the landfill operation.
- Notification/action by the Planning Department, Environmental Section on an as-needed basis if limits are exceeded.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-3

A perimeter gas monitoring system and a vadose zone monitoring system (beneath the landfill liner) shall be implemented to provide early warning of landfill gas migration. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Vadose zone gas monitoring system plans to be submitted by Rail•Cycle to the LEA, Planning Department, Environmental Section (as included in the WDR's and SWFP), RWQCB, and CIWMB for review and approval.
- Monitoring systems to be inspected by the RWQCB.
- Periodic monitoring reports to be submitted to the LEA, and RWQCB in accordance with approved monitoring plans.

COMPLIANCE RECORD

- System plans to be approved prior to issuance of SWFP.
- RWQCB inspections upon system installation, on periodic basis during landfill operation, closure of each cell and closure of the landfill, and during the postclosure monitoring period.
- LEA inspections upon discretion of agency.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-4

The composite liner system, leachate collection system, landfill gas collection system, and final cover are designed to prevent contamination to underlying ground water. The components of the landfill liner which shall be installed are listed under this mitigation measure (GW-4) in Chapter 2.0 of this Mitigation Monitoring Program.

(Draft EIR/EIS)

GW-5

Two leachate collection systems shall be constructed in each cell: one directly above the top FML, and the other between the top FML and the geosynthetic clay liner. (Draft EIR/EIS)

GW-6

The final cover shall consist of the following components or equivalents: (Final)

- Two-foot thick foundation layer.
- One and one-half feet of clay (or equivalent having a permeability of 1×10^{-7} cm/sec) or less
- Two to three feet of topsoil.

IMPLEMENTATION AND VERIFICATION

- Final systems and cover design to be developed by Rail•Cycle and submitted for approval to the LEA, RWQCB, and CIWMB.
- Systems and cover design to be provided to the Planning Department, Environmental Section, as included in SWFP attachments.
- Rail Cycle to meet the liner requirements contained in the SWFP and WDRs.
- Upon approval and installation, and prior to the landfill cell receiving waste, the liner system will be inspected by the RWQCB.
- LEA to conduct inspections upon discretion of agency.

COMPLIANCE RECORD

- Final approval of systems design as part of the issuance of SWFP and WDRs.
- RWQCB inspections upon system installation, on periodic basis during landfill operation and upon postclosure. LEA inspections upon discretion of agency.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-7

Point of compliance monitoring wells shall be spaced along the downgradient edges of the landfill footprint to provide a detection monitoring system. Screened intervals and the specific location of these wells shall be determined in consultation with the RWQCB. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit proposed ground water monitoring system design to the LEA, RWQCB, CIWMB, and Planning Department, Environmental Section (as included in WDR's).
- Final location and screened intervals for the monitoring wells to be determined in consultation with the RWQCB.
- Rail•Cycle to sample wells and provide monitoring reports to the LEA and RWQCB.

COMPLIANCE RECORD

- Ground water monitoring system to be submitted and approved prior to issuance of SWFP and WDRs.
- RWQCB to inspect wells upon installation, on periodic basis during landfill operation, closure of each cell and closure of the landfill, and during the postclosure monitoring period.
- LEA to inspect wells upon discretion of agency.
- Monitoring reports to be provided on a quarterly basis beginning one year prior to landfilling each respective cell.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-8

Ground water and landfill gas monitoring systems have been designed to detect contamination in the event that ground water contamination occurs. If water protection standards are exceeded, Rail•Cycle shall implement a corrective action program to remediate the affected ground water. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- RWQCB to review periodic monitoring reports (per approved monitoring program), and identify and verify contamination.
- Rail•Cycle to develop and implement corrective action program in consultation with RWQCB, and CIWMB.

COMPLIANCE RECORD

- On-going ground water and vadose zone monitoring and reporting per monitoring program to be approved by the LEA, RWQCB, and CIWMB. (see Measure G-6).
- Schedule for corrective action would be detailed in program developed in consultation with, and approved by RWQCB.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
GROUND WATER

GW-9

A financial assurance program, funded by Rail•Cycle shall be established to pay entities involved, including the federal government, for increased purification costs or loss of a mineral resource. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- A financial assurance program shall be established by Rail•Cycle.
- The selected financial assurance instrument will be approved by the RWQCB, and CIWMB.

COMPLIANCE RECORD

- Program to be approved and in place prior to issuance of WDRs.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-10

Excavation prior to landfilling shall be based on the highest anticipated ground water elevations (i.e., without pumping from nearby wells such as those operated by Cargill) and capillary rise, and shall be designed to offset the expected ground settlement while maintaining a minimum separation of 5 feet between waste and ground water.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Final grading design to be submitted by Rail•Cycle to the LEA (as included in the RDSI), RWQCB, and CIWMB.
- Rail•Cycle to submit copy of final grading plans to Planning Department, Environmental Section.
- Landfill excavation to be inspected by the LEA and RWQCB.

COMPLIANCE RECORD

- Final grading plan to be submitted and approved prior to issuance of building permits, SWFP and WDRs.
- Ongoing inspections by the Building and Safety Department, the LEA and RWQCB during project phases prior to opening each landfill cell for waste disposal.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

GROUND WATER

GW-11

If leachate evaporation ponds are used at the site, they shall be double lined, with a leachate collection system located between the liners to act as a monitoring system. Lysimeters shall be installed beneath the leachate evaporation ponds. (Supplement)

IMPLEMENTATION AND VERIFICATION

- Final landfill system design including as necessary, leachate evaporation ponds, to be submitted by Rail•Cycle to the RWQCB, and CIWMB.
- RWQCB and CIWMB to review and approve landfill system design.
- RWQCB to inspect leachate evaporation ponds.
- Rail•Cycle to install lysimeters and provide reports to the LEA and RWQCB.

COMPLIANCE RECORD

- Landfill systems to be approved by the LEA and RWQCB prior to issuance of the SWFP and WDRs.
- The LEA and RWQCB to inspect leachate evaporation ponds upon construction.
- Rail•Cycle to provide monitoring reports to the LEA and RWQCB in accordance with approved monitoring program (see Mitigation Measure G-6).

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

VEGETATION

V-1

Areas on which no project-related facilities are to be located shall be protected and avoided to the degree possible, during project construction and operations. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to designate areas to be protected and avoided on grading plans.
- Rail Cycle to mark areas in the field to be protected and avoided by flagging or other measures.
- Planning Department, Environmental Section, and Building and Safety Department to review and approve grading plans.
- LEA to inspect grading operations.

COMPLIANCE RECORD

- Grading plans to be reviewed and approved by the Planning Department, Environmental Section, prior to any grubbing, or issuance of grading permits.
- Ongoing inspections by the LEA.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
VEGETATION

V-2

Construction and operations vehicles shall be restricted to paved roads or designated unpaved roads. (Draft EIR/EIS)

V-3

Construction support yards shall be restricted, to the extent possible, to areas previously disturbed by construction activities. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to include restrictive language and areas to be utilized on construction contracts, and on engineering drawings and grading plans.
- Rail•Cycle to designate areas approved for construction activities and construction support yards on landfill development plans.
- Onsite Rail•Cycle supervision for monitor activities and avoidance of areas to be protected.

COMPLIANCE RECORD

- Onsite inspection to be conducted periodically by the LEA and the Building and Safety Department during construction activities.
- Procedures to be implemented throughout the initial construction period and during project operations, which will include numerous periods of construction related to preparation and closure of each landfill cell.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
VEGETATION

V-4

Landfill cells shall be revegetated as a final step in the closure of each cell. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit a preliminary closure plan, including proposed revegetation methods, to the LEA, RWQCB, and CIWMB.
- Copy of the closure plan to be provided to the Planning Department, Environmental Section, as included in the SWFP.
- Closure plan shall be approved by the LEA, RWQCB, and CIWMB.
- Rail•Cycle shall implement approved revegetation plan.
- Onsite inspection of revegetation to be conducted as determined and approved in the revegetation plan.

COMPLIANCE RECORD

- Preliminary closure plan to be approved prior to issuance of SWFP.
- Revegetation to occur throughout the phased closure of individual landfill cells, upon closure of the landfill, and postclosure of the landfill until success criteria as defined in closure plan is satisfied.
- Revegetation to be inspected upon closure of each landfill cell, and periodically throughout operation, and postclosure of the landfill as detailed in the approved revegetation plan.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
VEGETATION

V-5

A revegetation plan shall be developed utilizing applicable methods developed by the NPS at the Joshua Tree National Monument. This plan shall be developed in consultation with the NPS and shall include a native plant seed mixture to be used for revegetation. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to consult with NPS in development of revegetation.
- The LEA, RWQCB, CIWMB, and Planning Department, Environmental Section to review and approve plan.

COMPLIANCE RECORD

- Plan to be approved prior to issuance of building permits and SWFP.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

VEGETATION

V-6

A nursery shall be established for germination and growth of native plants for use in revegetation of the landfill. Native plant seedlings grown in the nursery shall then be transplanted to closed landfill cell structures and planted in an island configuration, similar to the surrounding plant communities. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to incorporate the nursery into the revegetation plan to be included in the closure plan.
- Location of the nursery to be approved by the Planning Department, Environmental Section.
- Rail•Cycle to implement nursery.

COMPLIANCE RECORD

- Revegetation plan to be approved prior to issuance of building permits and SWFP.
- Schedule of nursery establishment to be included in revegetation plans.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

VEGETATION

V-7

Overhead irrigation may be temporarily used on the landfill sideslopes to assist in the initial establishment of the revegetation; however, only a drip irrigation system shall be used on the top slopes of the landfill. If long-term irrigation is required on the sideslopes a drip system shall be installed. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to irrigate in accordance with approved revegetation plan.
- Revegetation success to be monitored in accordance with approved revegetation plan.
- Modifications if necessary to irrigation system to be determined by the LEA, Planning Department, Environmental Section, and RWQCB.

COMPLIANCE RECORD

- Revegetation plan to be approved prior to issuance of building permits and SWFP.
- Ongoing revegetation monitoring during phased closure of landfill cells and postclosure of landfill.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

VEGETATION

V-8

The topsoil layer shall be 2 to 3 feet and contoured with ridges and depressions. (Final)

V-9

Wood chips or mulch shall be used as required to control wind and rain erosion. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to detail cover design in revegetation plan and submit to the LEA, RWQCB, CIWMB, and Planning Department, Environmental Section.
- Closure Plan and cover design to be approved by the LEA, RWQCB, and CIWMB.
- Cover installation and maintenance to be inspected as detailed and approved in the revegetation plan.

COMPLIANCE RECORD

- Approval of cover design prior to issuance of SWFP.
- Cover to be inspected upon and installation and on a periodic basis during landfill operation, and upon postclosure as detailed in the approved revegetation plan.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-1

Rail•Cycle shall designate a Field Contact Representative who will be responsible for overseeing compliance with these terms and conditions and for coordination on compliance with the BLM. The Field Contact Representative shall have the authority to halt all construction, operation, and maintenance activities that are in violation of terms and conditions. The Field Contact Representative shall have a copy of all terms and conditions. The Field Contact Representative may be a manager, any other employee, or a contracted biologist. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit qualifications of proposed Field Contact Representative to USFWS and BLM for approval.
- Rail•Cycle to copy selected Field Contact Representative, qualifications to the Planning Department, Environmental Section.
- Field Contact Representative to be onsite on a full-time basis.

COMPLIANCE RECORD

- Rail•Cycle to retain Field Contact Representative throughout the period of landfill construction, operation, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-2

An employee education program shall be received, reviewed, and approved by the USFWS at least 15 days prior to the presentation of the program. The program shall consist of a class or video presented by a qualified biologist (a knowledgeable desert tortoise biologist approved by the USFWS). Wallet-sized cards with important information for workers to carry are recommended. All employees engaged in activities which may result in a take of desert tortoise shall participate in the education program prior to initiation of work. The program shall cover the following topics at a minimum: (USFWS)

- Distribution of the desert tortoise
- General behavior and ecology of the desert tortoise
- Sensitivity to human activities
- Legal protection
- Penalties for violations of state and federal law
- Reporting requirements
- Project terms and conditions

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to develop the employee education program in conjunction with BLM, USFWS, and a qualified biologist.
- Rail•Cycle to submit the employee education program to the USFWS for review and approval.
- Rail•Cycle to provide copy of approved employee education program to the Planning Department, Environmental Section.
- Rail•Cycle to implement program as approved.
- Rail•Cycle shall periodically review and revise the program, as necessary. Revisions to be approved by USFWS, and BLM.

COMPLIANCE RECORD

- Program to be submitted to USFWS at least 15 days prior to implementation.
- Employee education program to be implemented throughout to period of landfill construction, operation, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-3

Only biologists authorized by the USFWS shall handle desert tortoises. Rail•Cycle shall submit the name(s) of the proposed authorized biologist(s) to the USFWS for review and approval at least 15 days prior to the onset of activities. No construction or operational activities shall begin until an authorized biologist is approved. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit name of approved biologist(s) to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Biologist to be approved at least 15 days prior to onset of construction.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-4

The authorized biologist shall be required on-site during all construction phase activities which may result in a "take" of desert tortoises to monitor construction and minimize take. Construction phase activities include:

- Initial landfill and leachate collection system
- Portions of the railyard and off-loading facility to support a minimum of two trains
- Hazardous waste temporary storage area
- Lined evaporation pond(s), if required
- Water supply and storage facilities
- Fencing of the site
- Utilities network
- Entrance/on-site service roads and railroad overpass
- Public waste drop-off facility
- Visitor center and administration facilities
- Equipment maintenance facilities
- Fuel storage sites

This biologist shall have authority from Rail•Cycle to halt any action that might result in harm to a desert tortoise. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle's designated Field Contact Representative to maintain monitoring records of construction phase and provide applicable information to the USFWS.

COMPLIANCE RECORD

- Rail•Cycle's Field Contact Representative to coordinate with USFWS throughout the period of project construction, operation, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-5

Except when absolutely required by the operation, cross-country vehicle use by employees shall be prohibited during work and nonwork hours. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Landfill site to be patrolled by Rail•Cycle personnel.
- Rail•Cycle to establish procedures for cross-country vehicle use in RDSI to be approved by the LEA and CIWMB.

COMPLIANCE RECORD

- The restriction on the use of cross-country vehicles shall occur throughout the period of landfill construction, operation, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-6

The boundaries of construction areas shall be clearly marked with flagging or stakes. All construction workers shall strictly limit their activities and vehicles to marked areas to eliminate adverse impacts to desert tortoises. All workers shall be instructed that their activities are restricted to marked areas. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall designate construction areas on grading plans and engineering drawings.
- Rail•Cycle employee education program and implementation to include the strict limits of activities (see W-2).
- Rail•Cycle to mark areas in the field by flagging and stakes.
- Planning Department, Environmental Section to review and approve grading plans.
- Designated Field Contract Representative to monitor and maintain records of construction activities. Applicable information to be provided to USFWS.

COMPLIANCE RECORD

- Construction plans to be approved prior to issuance of grading permits.
- Field Contract Representative monitoring and reporting to be conducted throughout all construction.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-7

Construction phase activities shall be modified, if possible, to avoid direct impacts to desert tortoises and their burrows. If a desert tortoise or its burrow is found in an area to be disturbed by construction, the qualified or authorized biologist shall work with the construction supervisor to take steps as necessary, including minor relocation of project features, to avoid damaging a burrow or disturbing a desert tortoise. For burrows outside of the actual area of disturbance, the biologist shall consider the direction the burrow runs, and that burrows may be as long as 30 feet, in determining whether or not action is necessary to avoid take. Any hazards to desert tortoises that may be created, such as auger holes and trenches, shall be monitored by a qualified or authorized biologist at least twice daily for desert tortoises which might become entrapped. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to designate full-time biologist/Field Contact Representative.
- Rail•Cycle to provide the biologist with the authority to halt any activity that may harm a desert tortoise.
- Field Contract Representative to maintain records of monitoring activities and provide reports to the USFWS.

COMPLIANCE RECORD

- Authorized biologist/Field Contract Representative to be approved and employed prior to onset of construction activities. (see measure W-1)
- Tortoise monitoring, avoidance, and reporting to USFWS to be implemented throughout the period of landfill construction, operation, and closure.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-8

If, throughout the project life, desert tortoises are found above ground or within burrows in areas to be disturbed by construction or operation of the landfill, it is not possible to avoid such disturbance, and the desert tortoise(s) could be injured or killed by such activities, they shall be relocated by an authorized biologist (see W-3 for definition) a short distance away from the construction zone to habitat which will not be disturbed by further construction or operation activities. If construction activities are short in duration, the authorized biologist may elect to hold the desert tortoise overnight (pursuant to W-10) and release the animal the next day at or near the point of capture after construction activities have been completed. If the relocation occurs in the season of above-ground activity, the desert tortoise shall be placed in the mouth of a burrow of appropriate size or in the shade of a large shrub. If the relocation is not in the season of above-ground activity, the desert tortoise shall be moved on a seasonably warm day and placed at the mouth of a burrow of appropriate size. All excavation of desert tortoise burrows shall be done by hand tools, either by or under the direction of a qualified biologist. If the relocation occurs outside of the season of above-ground activity and the desert tortoise does not enter the burrow, or a burrow is not available, an artificial burrow shall be constructed and the desert tortoise placed within it. Artificial burrows shall be at least 6 feet in length and of the same diameter, depth, and orientation as the one in which the desert tortoise was found or as appropriate for the size of the subject desert tortoise. Wood or plastic materials may be used to strengthen the tunnel and/or chamber of the burrow. In coordination with the USFWS, the authorized desert tortoise biologist shall be allowed some judgment and discretion to ensure that survival of the desert tortoise is likely. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to designate full-time biologist/Field Contact Representative.
- Rail•Cycle shall provide the authorized biologist with the authority to perform the activities necessary to implement procedures to protect the desert tortoise.
- Rail•Cycle's biologist/Field Contract Representative to maintain records of monitoring and tortoise relocation activities, and provide reports to the USFWS.

COMPLIANCE RECORD

- Authorized biologist/Field Contract Representative to be approved and employed prior to onset of construction activities. (see measure W-1)
- Tortoise monitoring, avoidance and reporting to USFWS to be implemented throughout the period of landfill construction, operation, and closure.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-9

All relocated desert tortoises shall be marked for future identification. An identification number using the acrylic paint/epoxy covering technique shall be placed on the fourth left costal scute as described in the handling protocol sections of the "Protocols for Handling Live Tortoises" (Arizona Game and Fish Department et al. 1991). Slide photographs (35mm) shall be taken of the carapace, plastron, and fourth costal scute. No notching is authorized. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall provide appropriate facilities, tools, and supplies to enable the authorized biologist to conduct the required marking.
- Rail•Cycle shall provide the equipment and supplies necessary to maintain permanent records of tortoises that have been relocated and/or otherwise handled.
- Rail•Cycle's Field Contract Representative to prepare and maintain reports of relocated tortoises.

COMPLIANCE RECORD

- Field Contract Representative to provide reports to USFWS upon any relocation of a desert tortoise.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-10

If desert tortoise eggs are located during construction or operation and may be damaged by such activities, they shall be moved in accordance with Attachment A of the general handling protocol sections of the "Protocols for Handling of Live Tortoises" (Arizona Game and Fish Department et al. 1991). If desert tortoise eggs are incubated in a holding facility and the eggs hatch, the USFWS shall be contacted within five days of hatching concerning disposition of the hatchlings. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall provide appropriate facilities, tools, and supplies to enable the authorized biologist to conduct the required relocation of desert tortoise eggs.
- Rail•Cycle shall provide the equipment and supplies necessary to maintain permanent records of the discovery, relocation, and disposition of desert tortoise eggs that have been relocated and/or otherwise handled.
- Rail•Cycle's Field Contact Representative shall notify the USFWS of hatching any desert tortoise eggs through the use of an incubator.
- Field Contract Representative to maintain records of desert tortoise monitoring and handling activities, and provide reports to the USFWS.

COMPLIANCE RECORD

- Field Contract Representative to contact USFWS within five days of hatching desert tortoise eggs.
- Tortoise monitoring and reporting to USFWS to be implemented throughout the period of landfill construction, operation, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-11

Desert tortoises and their eggs shall be handled only by the authorized biologist and only when necessary. In handling desert tortoises, the authorized biologist shall follow general handling protocols (Arizona Game and Fish Department et al. 1991). New latex gloves shall be used when handling each desert tortoise to avoid the transfer of infectious diseases between animals. Replacement of lost fluids with a syringe is not authorized. If a desert tortoise needs to be moved within three hours of nightfall, or when ambient temperatures are extremely low (i.e., less than 40 degrees Fahrenheit) or high (exceeds 90 degrees Fahrenheit), it shall be placed in a clean disposable cardboard box and held overnight in a cool location. The box shall be covered and kept in possession of an authorized biologist for release of each desert tortoise the next morning in the manner described in W-12. Cardboard boxes used to hold desert tortoises shall be new, used once, and discarded. All materials which come into contact with desert tortoises shall be used only once and then properly discarded to minimize contact with the causative factor(s) for URTD or other diseases. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle's authorized biologist to be onsite during site construction activities.
- Rail•Cycle shall provide appropriate facilities, tools, and supplies to enable the authorized biologist to conduct the required handling and relocation of desert tortoise and their eggs.
- Rail•Cycle's Field Contact Representative to maintain records of desert tortoise monitoring and handling activities and provide reports to the USFWS.

COMPLIANCE RECORD

- Tortoise monitoring and reporting to USFWS to be implemented throughout the period of landfill construction, operations, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-12

The authorized biologist shall maintain a record of all desert tortoises handled. This information shall include for each desert tortoise: (USFWS)

- The locations (narrative and maps) and dates of observations.
- General condition and health, including injuries and state of healing and whether animals voided their bladders.
- Location moved from and location moved to.
- Diagnostic markings (i.e., identification numbers or marked lateral scutes).
- Slide photograph (35mm) of each handled desert tortoise.

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall provide the appropriate equipment, tools, and supplies necessary to maintain permanent records of tortoises that have been relocated and/or otherwise handled.
- Rail•Cycle to provide record of all tortoise handling to the BLM, USFWS and Planning Department, Environmental Section.

COMPLIANCE RECORD

- Reports of desert tortoise handling to be provided within 30 days after each handling incidence.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-13

Prior to moving a vehicle, workers shall inspect for desert tortoises under the vehicle. If a desert tortoise is present, the authorized biologist shall carefully move or direct the movement of the vehicle only when the desert tortoise would not be injured, or the desert tortoise shall be allowed to move out from under the vehicle on its own. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide instruction to workers to look for tortoises under vehicles prior to moving the vehicles (reference W-2, employee education program).
- Rail•Cycle to instruct workers to notify an authorized biologist to remove any tortoise found under a vehicle or to wait for the tortoise to move prior to moving the vehicle (reference W-2, employee education program).
- Rail•Cycle's authorized Field Contact Representative to maintain records of all tortoise incidents involving vehicles and provide reports to USFWS.

COMPLIANCE RECORD

- Employee education program to be implemented throughout the period of landfill construction, operation, and closure.
- Reports to be provided to USFWS within 30 days after each incidence.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-14

Rail•Cycle shall participate in a cooperative raven survey with the BLM. The survey shall be a regional study to assess the density and location of ravens within a 30-mile radius of the project site. The raven study, initiated in December 1992, shall continue for one year prior to the startup of landfill operations. The study may be conducted up to five years following the startup of operations. Should monitoring indicate that, despite passive control measures taken at the landfill, the raven population is significantly increasing and is threatening desert tortoise populations, then the BLM and the project proponent shall coordinate with the USFWS to develop further measures, including alteration of landfill operations, or any other measures necessary to eliminate the threat. The BLM and the project proponent shall coordinate all study efforts and results through a raven monitoring control group. The control group should have representation from the BLM, USFWS, DFG, Rail•Cycle, and any other agency representative or individual that the state and Federal agencies believe appropriate. The raven monitoring control group would oversee the raven monitoring and control program, evaluate monitoring data, and make decisions on the timing and implementation of actions to reduce raven use of the landfill. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to monitor ravens during landfill operations.
- Rail•Cycle to compare baseline data collected during the one-year study (December 1992 to December 1993) with data collected during landfill operation.
- Rail•Cycle to develop additional bird control measures if indicated as necessary by the survey results. Measures to be reviewed and approved by BLM and USFWS.
- Rail•Cycle to provide monitoring reports and control program data to members of the raven monitoring control group.

COMPLIANCE RECORD

- Raven monitoring to commence upon start of landfill operations and continue as determined necessary by the USFWS.
- Annual reports, as deemed appropriate by USFWS, to be provided to the raven monitoring control group.

DATE COMPLETED: _____

SUBMITTED TO COUNTY BY: _____

FEE: _____ CHECK NO.: _____

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FURTHER ACTION REQUIRED: _____

DATE FOLLOW-UP COMPLETED: _____

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-15

With the exception of storm water retention ponds, no ponded water shall remain on-site for more than 24 hours to avoid watering of potential desert tortoise predators. Fish-netting would be erected above all storm water retention ponds to exclude avian predators. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall inspect for ponded water after each precipitation event and remove any ponded water within 24 hours.
- Rail•Cycle to install fish netting, nylon grid, or other bird deterrent, as approved by USFWS, over the storm water retention ponds.
- Rail•Cycle's designated Field Contact Representative to monitor effectiveness of avian deterrent measures and provide reports to USFWS and raven control monitoring group.

COMPLIANCE RECORD

- Rail•Cycle to eliminate ponded water within 24 hours throughout project construction, operation, closure, and postclosure.
- Field Contact Representative to provide periodic reports as determined appropriate by the USFWS.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-16

All trash and food items shall be promptly contained within closed, raven-proof containers. The containers shall be regularly emptied and/or removed from the project site to reduce attractiveness of the area to ravens and other desert tortoise predators. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide containers for disposal of personal trash and food wherever contractor/employee personnel are known to congregate.
- The Rail•Cycle employee education program shall include information on the importance of litter control to avoid attracting ravens (see measure W-2).
- Rail•Cycle's Field Contact Representative to monitor implementation of container use and report to USFWS.

COMPLIANCE RECORD

- Rail•Cycle shall conduct the employee education program for all new employees as described under measure W-2 throughout project construction, operation, and closure.
- Field Contact Representative to provide periodic reports as determined appropriate by the USFWS.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-17

Structures that may function as raven nesting or perching sites, such as fences and overhead power lines, shall be designed and maintained to limit their usefulness as perches and nest sites to the extent possible. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit design of fencing and power poles to the USFWS for review.
- Rail•Cycle's designated Field Contact Representative to monitor effectiveness of avian deterrent measures and provide reports to USFWS and raven control monitoring group.

COMPLIANCE RECORD

- Facility and utility improvement plans to be reviewed prior to issuance of building permits.
- Field Contact Representative to provide periodic reports as determined appropriate by the USFWS.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-18

Daily, intermediate, and final maintained in accordance with CCR Title 23. The cover material shall be applied as follows: (USFWS)

- Daily cover shall consist of a 6-inch thick layer of soil or an equivalent alternative cover if permissible under the solid waste facilities permit.
- Intermediate cover shall be applied to all landfill waste when the area is to be left for an extended period of time (i.e., intermediate slope between cells) while landfilling operations are carried on in adjacent cells.
- Final cover shall be applied in accordance with the closure/postclosure requirements of the solid waste facilities permit. Beginning with cell No. 1, and following maximum filling of the cell, closure plans will be enacted. The cell shall be planted with typical native desert flora.

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit design plans for daily, intermediate and final cover to RWQCB and the LEA.
- RWQCB and the LEA to approve cover design.
- RWQCB and the LEA to inspect cover and evaluate cover integrity.
- Rail•Cycle to implement a monitoring program to evaluate cover integrity. Based on the results of this monitoring program, Rail•Cycle shall implement appropriate maintenance or repair measures to assure continued integrity of the cover.
- Rail•Cycle to provide copy of SWFP (including approved closure plan) to Planning Department, Environmental Section.

COMPLIANCE RECORD

- Daily intermediate and final cover design to be approved prior to issuance of SWFP.
- Periodic visual monitoring and surveys.
- Maintenance/modifications to be implemented upon requirement of RWQCB and/or the LEA.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-19

Debris fencing and facility operations shall be designed and installed to prevent wind-transport of trash. During high wind periods, landfilling operations shall be carried out in wind-berm protected areas. Debris fences shall be maintained downwind from the working face to trap blowing debris. Debris fences shall be cleaned on a frequent basis, a minimum of once daily. Debris not collected on the fences shall be policed daily or on an as-needed basis to prevent cluttering of downwind areas. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to prepare a litter control plan to include procedures outlined in this measure to be submitted as part of the RDSI to the LEA and CIWMB for approval.
- Rail•Cycle to provide copy of the litter control program, as included in the RDSI, to the Planning Department, Environmental Section.
- Rail•Cycle to conduct daily inspections and maintain inspection reports on file.

COMPLIANCE RECORD

- Litter control program to be approved prior to issuance of SWFP.
- Litter control measures to be implemented throughout the period of landfill construction, operation, and closure.
- LEA and CIWMB to conduct inspections and review inspection reports upon agency discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-20

Nylon lines shall be erected and maintained over the working face of the landfill to deter ravens and other avian predators from feeding on exposed refuse. Surface impoundments shall have nylon lines erected to deter avian predators. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to install nylon lines or other approved method(s) to deter avian predators on plans for each new landfill area.
- Rail•Cycle's Field Contact Representative to monitor use of nylon lines and report effectiveness of measure to USFWS.

COMPLIANCE RECORD

- Avian deterrence to be implemented throughout period of landfill operations.
- Field Contact Representative to submit periodic reports as determined appropriate by the USFWS.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-21

The working face of the landfill shall be sized to control raven and other scavenger feeding. The working face shall be covered at the end of each working day and/or any period of time when work at the face is stopped due to unforeseen events, such as weather. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle may adjust the size of the working face based on effectiveness of avian deterrence measures, as indicated by the raven monitoring program.
- Rail•Cycle to cover the working face of the landfill in compliance with requirements of CCR Title 23 and the conditions of the Solid Waste Facilities Permit.
- Rail•Cycle's designated Field Contact Representative to report to USFWS and raven control monitoring group on effectiveness of avian control measures.

COMPLIANCE RECORD

- Ongoing adjustments of working face size based on evaluation of raven monitoring results.
- Daily cover placement throughout the period of landfill operation.
- Field Contact Representative to provide periodic reports to USFWS as determined appropriate by the USFWS.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-22

No later than 90 days following completion of the construction phase, the Field Contact Representative and/or biological monitor shall submit a report to the USFWS's Ventura Field Office. The report shall document the effectiveness of the desert tortoise mitigation measures, the number of desert tortoises excavated from burrows, and the number of desert tortoises moved from construction sites. The report shall make recommendations for modifying or refining these terms and conditions to enhance desert tortoise protection and reduce needless hardship on the project proponent. If desert tortoises are taken after completion of the construction phase, such take shall be reported to the USFWS pursuant to mitigations W-27 and W-28. (USFWS)

IMPLEMENTATION AND VERIFICATION

- Records of tortoise encounters to be kept by the Rail•Cycle onsite biologist.
- Rail•Cycle shall submit a report documenting the effectiveness of construction mitigation measures to USFWS.
- Rail•Cycle to submit a copy of the report to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Rail•Cycle to submit the report within 90 days following completion of construction.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-23

Upon locating dead, injured, or sick desert tortoises, initial notification must be made to the USFWS's Law Enforcement Office in Torrance, California at (310) 297-0062 within three working days of its finding. Written notification must be made within five calendar days and include the date, time, and location of the animal, a photograph, and any other pertinent information. The notification shall be sent to the USFWS's Torrance office with a copy to the Ventura Field Office. Care must be taken in handling sick or injured animals to ensure effective treatment and care, and in handling dead specimens to preserve biological material in the best possible state. If possible, the remains of intact desert tortoises shall be placed with educational or research institutions holding the appropriate State and Federal permits. If such institutions are not available or the shell has been damaged, the information noted above shall be obtained and the carcass left in place. The carcass shall be marked in a manner that would not be toxic to other wildlife to ensure that it would not be rerecorded in the future. (USFWS)

W-24

Arrangements regarding proper disposition of potential museum specimens shall be made with the institution prior to disposition. Injured animals shall be transported to a qualified veterinarian by an authorized desert tortoise biologist. Should any treated desert tortoises survive, the USFWS shall be contacted regarding the final disposition of the animals (USFWS).

IMPLEMENTATION AND VERIFICATION

- Records of tortoise encounters to be kept by the Rail•Cycle onsite biologist as part of the permanent landfill file.
- The Rail•Cycle Field Contact Representative shall notify USFWS in the event a dead or injured tortoise is encountered.
- Rail•Cycle to provide appropriate facilities, tools and supplies to enable the authorized biologist to properly handle the discovery of a dead, injured, or sick tortoise.
- Prior to project construction, the Rail•Cycle authorized biologist to make arrangements with an appropriate museum and veterinarian for care of dead, injured or sick tortoises.

COMPLIANCE RECORD

- Rail•Cycle to notify USFWS's Law Enforcement office within three working days of finding a dead, injured or sick tortoise.
- Rail•Cycle to submit written notification of such finding to USFWS within five working days.
- USFWS requires these procedures to be followed throughout the period of project construction, operation, and closure, unless subsequently determined otherwise.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-25

An authorized biologist shall be designated as the only person permitted to handle any kit fox encountered during project construction or operation and shall be responsible for any relocation of kit fox during project construction or operation activities and shall maintain a record of all kit fox that are handled. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Biologist to be approved by the USFWS.
- Rail•Cycle to provide the name and qualifications of the selected biologist to the Planning Department, Environmental Section.
- The Rail•Cycle biologist to maintain records of kit fox encounters on the site.
- Rail•Cycle shall submit the records to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Rail•Cycle to monitor for kit fox throughout the initial onsite activities and the operational life of the landfill.
- Rail•Cycle to provide records of kit fox handling and/or relocation on annual basis.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

WILDLIFE

W-26

Kit foxes located onsite shall be trapped and relocated to similar offsite environments in the near vicinity.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit name of qualified biologist to the USFWS for approval.
- Rail•Cycle to provide the name and qualifications of the selected biologist to the Planning Department, Environmental Section.
- All trapping/relocation to be done by the approved biologist.
- Rail•Cycle's biologist to consult with Planning Department, Environmental Section and USFWS, as applicable, for approval and relocation site(s).

COMPLIANCE RECORD

- The trapping/relocation program to be implemented the entire period of landfill construction, operation, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-1

Permanent onsite roadways shall be paved to minimize fugitive dust emissions. (Draft EIR/EIS) Roads which shall be used for an extended period of time (e.g., five to ten years) to haul containers from the railyard/offloading facility to the active working face shall also be paved. (Supplement)

AQ-2

A miscellaneous crushed base shall cover unpaved roadways to minimize fugitive dust emissions. (Draft EIR/EIS)

AQ-3

Unpaved roadways shall be sprayed regularly with water and/or chemical dust suppressants to minimize fugitive dust emissions. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit operation plans, including a Dust Control Plan to the LEA, Planning Department Environmental Section (as included in the RDSI) specifying which roads are to be paved, cover material for unpaved roads, and fugitive dust emission controls (spraying, etc.)
- LEA to review and approve Dust Control Plan and operation plans.
- Rail•Cycle to conduct daily construction inspections, monitor fugitive dust, and maintain records.
- LEA to review inspection reports and conduct inspections.

COMPLIANCE RECORD

- LEA to approve operations and Dust Control Plan prior to issuance of SWFP.
- Rail•Cycle to conduct daily inspections and prepare daily reports.
- LEA to review reports and conduct inspections upon agency discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-4

Chemical binding agents shall be applied to cover stockpiles to minimize wind erosion emissions. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit construction and operation plans to the LEA, Planning Department, Environmental Section (as part of RDSI), including specification of chemical binding agents and schedule to be applied to cover stockpiles.
- LEA to review and approve proposed operation plans.
- Rail•Cycle to conduct daily construction inspections, monitor fugitive dust and maintain records.
- LEA to review inspection reports and conduct inspections.

COMPLIANCE RECORD

- LEA to approve construction and operation plans prior to issuance of SWFP.
- Rail•Cycle to conduct daily inspections and prepare daily reports.
- LEA to review reports and conduct inspections upon agency discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-5

Construction sequence shall be designed to minimize double handling of cover soils. (Draft EIR/EIS)

AQ-6

Daily cover or an alternative daily cover, as permitted, shall be placed over the compacted in-place waste during the day and over the working face at the end of each day to control odors. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit operation plans to the LEA and Planning Department, Environmental Section (as included in the RDSI).
- LEA to review and approve proposed operation plans.
- Rail•Cycle's operations supervisor(s) to monitor handling of cover soils, assure placement of daily cover, and maintain daily records.
- LEA to review inspection reports and monitor operations on periodic basis.

COMPLIANCE RECORD

- LEA to approve operation plans prior to issuance of SWFP.
- Rail•Cycle's operations supervisor(s) to monitor daily landfill operations.
- LEA to review inspection reports and to inspect cover operation per agency discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-7

Completed landfill cells shall be revegetated to minimize wind erosion emissions. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit a preliminary closure plan, including proposed revegetation methods, to the LEA, RWQCB, CIWMB, and Planning Department, Environmental Section (as included in the SWFP).
- Closure plan shall be approved by the LEA, RWQCB, and CIWMB.
- Rail•Cycle shall implement approved revegetation plan.
- Onsite inspection of revegetation to be conducted as detailed and approved in the revegetation plan.

COMPLIANCE RECORD

- Preliminary closure plan to be approved prior to issuance of SWFP.
- Revegetation to occur throughout the phased closure of individual landfill cells, upon closure of the landfill, and postclosure of the landfill until success criteria as defined in closure plan is satisfied.
- Revegetation to be inspected upon closure of each landfill cell, and periodically throughout operation, and postclosure of the landfill as detailed in approved revegetation plan.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-8

Low-sulfur diesel fuel of 0.05 percent shall be used to minimize SO₂ (PM₁₀) precursor emissions.

(Draft EIR/EIS)

AQ-9

Rail•Cycle shall use engines in heavy duty diesel trucks meeting advanced emission standards for highway vehicles.

(Supplement)

AQ-10

Landfill operating equipment shall be replaced when new equipment meeting higher standards becomes available.

(Supplement)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to specify sulfur content conditions in contracts for fuel and maintain contracts on file.
- LEA to review files upon discretion of agency.
- Rail•Cycle shall submit operation plans (including equipment inventory) to the Planning Department, Environmental Section.
- Rail•Cycle's management, in conjunction with MDAQMD, to monitor availability of operating equipment meeting higher emissions standards.
- Rail•Cycle to submit periodic reports on status of all air quality mitigation to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Rail•Cycle to submit operation plans to Planning Department prior to issuance of SWFP.
- Rail•Cycle's operations supervisor(s) to monitor daily landfill operations and equipment maintenance.
- Annual reports to be submitted by Rail•Cycle to document status of measures AQ-8, AQ-9, and AQ-10.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-11

Rail•Cycle shall evaluate leachate and condensate treatment systems currently in use or proposed for use at other landfills. Depending on the results of this evaluations, and in consultation with the LEA, CIWMB, MDAQMD, and Planning Department, Rail•Cycle shall implement a specific method to control VOCs from the evaporation/or reintroduction of leachate and condensate at the landfill. (Supplement)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to research and evaluate alternative treatment systems to control VOC emissions and submit proposed method to the LEA, MDAQMD, CIWMB and Planning Department, Environmental Section.
- Rail•Cycle to implement VOC emission control program as approved by the MDAQMD, LEA, and CIWMB.
- The LEA and MDAQMD to monitor operations on periodic basis.
- Rail•Cycle to submit periodic reports on status of all air quality mitigation to MDAQMD, the LEA, and Planning Department, Environmental Section.

COMPLIANCE RECORD

- MDAQMD to approve VOC emissions control program prior to implementation of initial landfill gas flare or energy recovery management facility.
- VOC emission control program to be implemented from the onset of flare operation (or alternative facility) throughout operation of the landfill.
- Annual reports to be submitted by Rail•Cycle.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-12

Rail•Cycle shall determine, in consultation with the LEA and CIWMB, the optimum size of the working face to minimize VOC emissions. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to specify optimum working face size in RDSI.
- LEA to review and approve proposed working face.

COMPLIANCE RECORD

- RDSI to be approved as part of SWFP.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-13

A landfill gas collection system and associated landfill gas flare or other permitted landfill gas control device shall be operated to minimize toxic air contaminant emissions. (Draft EIR/EIS)

AQ-14

High combustion efficiency/low-NO_x flare shall be used to minimize O₃ precursor emissions. The flare shall be replaced as the project matures by a gas turbine and then a steam boiler, both capable of producing electricity (or alternate systems reflecting best available technology at the time of energy recovery). (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to monitor landfill gas generation and determine threshold for when gas flare is needed.
- Rail•Cycle to submit annual report of estimated landfill gas generation to the LEA.
- LEA to coordinate with MDAQMD to assess feasibility of implementing gas recovery facility.
- Rail•Cycle to submit periodic reports on status of all air quality mitigation to MDAQMD, the LEA and Planning Department, Environmental Section.
- Rail•Cycle to submit plans for landfill gas collection system and flare to MDAQMD and the LEA.
- MDAQMD to review and approve proposed system.
- MDAQMD and the LEA to inspect landfill gas collection system and monitor operations on periodic basis.

COMPLIANCE RECORD

- Rail•Cycle to provide annual reports on estimated landfill gas generation to the LEA.
- MDAQMD and the LEA to approve landfill gas collection system and flare prior to issuance of permit to construct flare.
- MDAQMD and the LEA to inspect landfill gas collection system upon installation.
- Annual status reports on air quality mitigation to be submitted by Rail•Cycle.

DATE COMPLETED: _____

SUBMITTED TO COUNTY BY: _____

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APPROVED BY: _____

FURTHER ACTION REQUIRED: _____

DATE FOLLOW-UP COMPLETED: _____

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-15

Ridesharing and vanpool programs for landfill employees shall be implemented where feasible. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to establish ridesharing and vanpool program availability to employees.
- Rail•Cycle to submit periodic reports on status of all air quality mitigation to the Planning Department, Environmental Section. Report to include summary status of employee utilization of rideshare/vanpool program.

COMPLIANCE RECORD

- Rideshare/vanpool program to be established within first year of landfill operation.
- Annual status reports to be submitted to Planning Department, Environmental Section by Rail•Cycle.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-16

Rail•Cycle shall contribute to funding of public transportation or ride sharing systems for local communities in the SEDAB. (Supplement)

AQ-17

Rail•Cycle shall contribute to funding of a program to retire older, high pollution vehicles in the SEDAB.
(Supplement)

IMPLEMENTATION AND VERIFICATION

- Implementation of funding to be based on threshold of locomotive emissions (program to be initiated when waste transport rates require three or more landfill bound trains per day).
- Rail•Cycle to develop and propose program in coordination with the Planning Department, Environmental Section San Bernardino Association of Governments (SANBAG) and MDAQMD.
- Program to be approved by San Bernardino County Planning Commission.

COMPLIANCE RECORD

- Rail•Cycle to implement program as approved by Planning Commission.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

AIR QUALITY

AQ-18

Rail•Cycle, through Atchison Topeka and Santa Fe (ATSF), shall actively participate in region-wide efforts to develop strategies to reduce locomotive emissions. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle, through ATSF, to proactively work with California Air Resources Board (CARB) to improve locomotive performance criteria and to meet regulatory goals for emission reductions.
- Rail•Cycle to provide status reports to the Planning Department, Environmental Section regarding region-wide efforts.

COMPLIANCE RECORD

- Rail•Cycle to work with CARB throughout project operation.
- Status reports to be provided annually to Planning Department, Environmental Section.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-1

Rail•Cycle shall comply with state and federal procedures to provide prevention of and response to fires.

(Draft EIR/EIS)

PH-2

Rail•Cycle shall include provision of facilities for fire and paramedic, including trained response personnel and equipment. (Draft EIR/EIS)

PH-3

Fire extinguishers shall be located throughout the project site. (Final)

PH-4

Fire hydrants and hoses shall be located to service facilities. (Final)

PH-5

In compliance with the County Fire Code, 180,000 gallons of water shall be reserved for firefighting purposes.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to prepare a fire prevention and response plan for review and approval by the Forestry and Fire Warden Department, the LEA, and the Building and Safety Department.
- Rail•Cycle to provide building and facility plans detailing required fire equipment and improvement locations and design (i.e., extinguishers, hydrants, hoses, water storage) to the Forestry and Fire Warden Department, the LEA, and the Building and Safety Department for review and approval.
- Forestry and Fire Warden Department, the LEA, and the Building and Safety Department to inspect installation of required fire control improvements.

COMPLIANCE RECORD

- Fire prevention and response plan to be approved prior to issuance of SWFP.
- Building and site improvement plans to be approved prior to issuance of building permits.
- Inspection of fire control equipment and water storage upon installation, and throughout landfill operation, closure, and postclosure as required by the Forestry and Fire Warden Department.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-6

Rail Cycle shall construct a new County fire station at the entrance to the landfill. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit building and site plans to the Forestry and Fire Warden Department, and the Building and Safety Department, for review and approval.
- Rail•Cycle to construct fire station in accordance with approved plans.

COMPLIANCE RECORD

- Plans to be approved prior to the issuance of building permits.
- Fire station construction to be scheduled in accordance with requirements to be determined by Forestry and Fire Warden Department.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-7

Water truck and tankers utilized in the landfill operation shall be available to support the dedicated fire engine, if needed. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to include procedures for water trucks and tankers to support the dedicated fire engine in the fire prevention and response plan to be submitted for review and approval to the Forestry and Fire Warden Department.

COMPLIANCE RECORD

- Fire prevention and response plan to be approved prior to issuance of occupancy permits.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-8

Rail•Cycle shall site, design and construct a temporary hazardous waste storage area that meets the requirements of California Health and Safety Code Title 22. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit the design and location of the landfill temporary hazardous waste storage area to the Department of Environmental Health Services (DEHS) Hazardous Waste Management and Health Education Division.
- DEHS, in consultation with the LEA to approve waste storage area.
- A copy of the approved design to be submitted to the Planning Department Environmental Section.

COMPLIANCE RECORD

- Plan to be approved prior to the issuance of SWFP.
- Rail•Cycle to comply with provisions for hazardous waste storage, pursuant to CCR Title 22, throughout the period of landfill construction, operation, closure, and postclosure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-9

Rail•Cycle shall comply with state and federal requirements, including preparation and implementation of Spill Prevention Control and Countermeasure (SPCC) Plan and design, construction, and operation of facilities in accordance with the Oil Pollution Action of 1990, National Fire Protection Association guidelines, and Uniform Fire Code. (Draft EIR/EIS)

PH-10

SPCC plan to include a prevention and response plan for small spills and leaks that can occur during mobile equipment fueling. (Draft EIR/EIS)

PH-11

Areas or locations for storage of various lubricating oils, hydraulic fluids, and waste oils for recycling shall be designed and operated in accordance with an SPCC plan. Areas shall be properly signed, fenced, and constructed on a concrete pad with proper containment.
(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to prepare an SPCC Plan and submit the plan to the DEHS, Hazardous Waste Management and Health Education Division.
- DEHS in consultation with LEA to approve SPCC Plan.
- A copy of the SPCC plan to be submitted to the Planning Department, Environmental Section.
- The DEHS to inspect site improvements as required by the SPCC plan.

COMPLIANCE RECORD

- SPCC plan will be submitted to be approved by the LEA prior to the issuance of building permits.
- Rail•Cycle shall comply with provisions of the SPCC plan throughout the period of landfill construction, operation, closure, and postclosure.
- DEHS inspections upon completion of improvements, prior to issuance of SWFP, and periodically through landfill operation.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
PUBLIC HEALTH AND SAFETY

PH-12

Design features shall be implemented to minimize operational spills and drips, and to collect spills and drips that occur for recovery and recycling. Fuel unloading equipment and onsite storage tanks that unload from the top to prevent spills shall be used/installed. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to specify drip protection features of onsite equipment and containment structures in the SPCC Plan, to be reviewed and approved by the DEHS in consultation with the LEA.
- The Rail•Cycle SPCC plan to specify the use of equipment and tanks that dispense from the top.
- DEHS to inspect site improvements and equipment as specified in the SPCC plan.

COMPLIANCE RECORD

- SPCC plan to be approved by the LEA prior to the issuance of building permits.
- DEHS inspections upon completion of improvements, prior to issuance of SWFP, and periodically through landfill operation.
- The SPCC plan is to be in effect throughout the period of landfill construction, operation, closure, and postclosure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-13

Site safety engineers and landfill personnel shall receive specific HAZMAT training for handling and disposing of hazardous material/waste. Personnel with HAZMAT training shall be onsite during landfill operating hours. Key safety engineers shall be on 24-hour call to respond to a HAZMAT incident. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle will provide for site safety engineers and other landfill personnel, as appropriate, to receive training in accordance with OSHA standards for hazardous waste operations (29 CFR 1910.120).
- OSHA compliance records to be maintained onsite by Rail•Cycle.

COMPLIANCE RECORD

- Hazmat-trained personnel to be onsite, as appropriate, throughout the period of project construction, operation, closure and postclosure.
- OSHA compliance records to be maintained onsite throughout landfill operation.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
PUBLIC HEALTH AND SAFETY

PH-14

Stored materials shall be identified as to their risk of fire, and adequate and proper containment shall be used. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide separate storage areas for flammable materials.
- Rail•Cycle to provide for containment of flammable materials that includes provision for safe access in the event of a fire.
- Rail•Cycle to design containment for flammable materials to preclude mixing of different materials.
- Rail•Cycle to locate and design containment that precludes the spread of fire.
- Rail•Cycle to include containment plans in the SPCC Plan.
- Rail•Cycle's contaminant facilities to be approved by the Forestry and Fire Warden Department, and DEHS, Hazardous Waste Management and Health Education Division.

COMPLIANCE RECORD

- Plans for storage and containment of construction materials to be approved prior to issuance of grading permits.
- Plans for storage and containment of operations supplies and materials to be approved by the Forestry and Fire Warden Department and the DEHS prior to the issuance of building permits.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-15

Procedures for screening local inbound waste to Bolo Station, and training for operators at the MRFs (or other processing facilities), public drop-off facility and landfill working face, shall be implemented by the operator to preclude landfill disposal of hazardous wastes, and to minimize exposure to workers and other persons.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide waste screening training for employees of MRFs operated by WMNA.
- Rail•Cycle to require non-Waste Management of North America (WMNA) operated MRFs to provide evidence of load checking program equivalent to WMNA operated MRFs.
- Non-WMNA operated MRFs must have valid SWFP issued by the responsible LEA.
- Rail•Cycle to provide landfill personnel with hazardous material/waste identification, and handling training.
- Rail•Cycle's operations supervisor to monitor and maintain reports on hazardous waste handling.
- Rail•Cycle to provide reports to the DEHS Hazardous Waste Management and Health Education Division.

COMPLIANCE RECORD

- Waste screening training for WMNA operated MRFs and verification of acceptable load checking program at non-WMNA operated MRFs to occur prior to accepting wastes from any MRF.
- Rail•Cycle to maintain records of MRF employee training program, and copies of MRF SWFPs. Files to be kept current throughout operation of landfill.
- Rail•Cycle to maintain training program records for site safety engineers and landfill personnel responsible for hazardous waste handling and disposal. Training updates to occur annually.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-16

Rail•Cycle shall prepare site-specific community and employee right-to-know programs in accordance with state and federal requirements. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit a draft right-to-know program to the DEHS, Hazardous Waste Management and Health Education Division for review and approval.
- The right-to-know program shall be in compliance with the California Health and Safety Code, Chapter 6.95, Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) Title III, and Proposition 65.
- Rail•Cycle to provide a copy of the approved right-to-know program to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Right-to-know program to be included in the RDSI and approved prior to the issuance of the SWFP.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-17

Controls including, but not limited to, litter and security fencing, litter policing and inspection, and response to vector issues shall be implemented to minimize nuisance vectors, litter, and odors. (Draft EIR/EIS)

PH-18

The litter control program shall include reduction of the size of the working face or curtailment of waste disposal operations during periods of extremely high wind velocity. (Supplement)

PH-19

The optimum size of the working face for anticipated daily waste volumes and to minimize litter and odors shall be determined in consultation with the LEA and CIWMB. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to prepare a litter/vector control program. The program shall include, but not be limited to the following:
 - Litter fencing - type, installation, clearance
 - Litter policing - personnel, procedures
 - Vector control - approved pest control measures
 - Size of landfill working face - adjustments during severe weather (wind, precipitation)
- Program to be included in the RDSI and to be approved by the LEA and CIWMB.
- Rail•Cycle to provide a copy of the approved program as included in the RDSI to the Planning Department, Environmental Section.
- Onsite litter monitoring and control to be conducted by Rail•Cycle in accordance with the approved litter control program.
- Periodic inspections to be conducted by the LEA.

COMPLIANCE RECORD

- Program to be approved prior to issuance of SWFP.
- Litter/vector control program to be implemented throughout the period of landfill construction, operation, and closure.
- Inspections to be conducted in accordance with approved program.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-20

A solid waste disposal system shall be established at the project site to assure appropriate disposal. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to include location of waste containers in site plans to be submitted to the Building and Safety Department.
- Locations to be approved by the Building and Safety Department.
- Procedures for onsite solid waste disposal to be included in the litter control program (see measure PH-17)

COMPLIANCE RECORD

- Site plans to be approved prior to issuance of building permits.
- Litter control program to be approved with RDSI and issuance of SWFP.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PUBLIC HEALTH AND SAFETY

PH-21

Subject to the cooperation of Cadiz Land Company (CLC), an insect monitoring and trapping program shall be implemented at the landfill site and CLC's agricultural areas to determine baseline insect populations. This monitoring program, which shall be conducted by a consultant selected jointly by Rail•Cycle and CLC, shall be continued on an annual basis after the landfill is operational to verify that insects are not being introduced to CLC's agricultural lands by waste operations. (Final)

IMPLEMENTATION AND VERIFICATION

- This measure to be deemed infeasible if CLC fails to cooperate with monitoring and trapping on their property.
- Rail•Cycle shall submit the name and qualifications of qualified biologist for approval by CLC and the DEHS, San Bernardino County Vector Control Program.
- Rail•Cycle shall submit the proposed insect monitoring and trapping program to the DEHS and Planning Department, Environmental Section, for review and approval.
- Rail•Cycle to implement approved program and submit reports to the DEHS and CLC.

COMPLIANCE RECORD

- Rail•Cycle to provide annual reports throughout duration of landfill operation or as deemed necessary by the DEHS.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

VISUAL RESOURCES

VR-1

The final surface shall be contoured in an undulating pattern so as to blend with surrounding topography.

(Draft EIR/EIS)

VR-2

The final surface shall be revegetated for runoff control and to enhance visual blending with the surrounding area.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit final grading plans to Planning Department, Environmental Section, the LEA, and RWQCB for review and approval.
- Rail•Cycle to submit a preliminary closure plan, including proposed revegetation methods, to the LEA, RWQCB, CIWMB and Planning Department, Environmental Section.
- Closure plan to be approved by the LEA, RWQCB, and CIWMB.
- Rail•Cycle to implement approved revegetation plan.
- Onsite inspection of revegetation to be conducted as determined and approved in the revegetation plan.

COMPLIANCE RECORD

- Preliminary closure plan to be approved prior to issuance of SWFP.
- Final grading plans to be approved for each landfill cell prior to cell closure.
- Revegetation to occur throughout the phased closure of individual landfill cells, upon closure of the landfill, and postclosure of the landfill until success criteria as defined in closure plan is satisfied.
- Revegetation to be inspected upon closure of each landfill cell, and periodically throughout operation, and postclosure of the landfill as detailed in the revegetation plan.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

VISUAL RESOURCES

VR-3

Procedures to prevent illegal dumping in the site vicinity shall be established and enforced as part of the site management plan. (Draft EIR/EIS)

VR-4

Procedures to minimize the presence of litter on the operating landfill shall be established by Rail•Cycle as part of its site management plan. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to specify procedures in the RDSI to prevent illegal dumping and to control litter at the landfill and adjacent properties.
- RDSI to be reviewed and approved by the LEA and CIWMB.
- Litter control illegal dumping prevention program to be incorporated as conditions of the SWFP.
- Onsite litter monitoring and control to be conducted by Rail•Cycle in accordance with the approved litter control program.
- Periodic inspections to be conducted by the LEA and CIWMB.

COMPLIANCE RECORD

- RDSI to be approved as part of the issuance of SWFP.
- Litter monitoring to be conducted on a full time basis throughout operation of the landfill.
- LEA and CIWMB inspections to be conducted in accordance with SWFP.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
VISUAL RESOURCES

VR-5

Onsite lighting shall be directed inward and downward to minimize offsite illumination. (Draft EIR/EIS)

VR-6

Onsite lighting shall be shielded. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit site plans to Building and Safety Department and Planning Department specifying the type and location of facility lighting.
- Building and Safety and Planning Departments to review and approve plans.
- Building and Safety Department to inspect lighting.

COMPLIANCE RECORD

- Facility plans to be approved prior to issuance of building permits or SWFP.
- Building and Safety Department to inspect and approve lighting upon installation. Inspections to occur periodically throughout operation of landfill at agency discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

VISUAL RESOURCES

VR-7

Dust control measures shall be rigorously maintained to minimize emission of fugitive dust. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall submit operation plans, including a Dust Control Plan to the LEA and Planning Department, Environmental Section.
- LEA to review and approve Dust Control Plan and operation plans.
- Rail•Cycle to conduct daily construction inspections, monitor fugitive dust and maintain records.
- LEA to review inspection reports and conduct inspections.

COMPLIANCE RECORD

- LEA to approve operations and Dust Control Plan prior to issuance of SWFP.
- Rail•Cycle to conduct daily inspections and prepare daily reports.
- LEA to review reports and conduct inspections upon agency discretion.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
CULTURAL RESOURCES

C-1

Construction and operations personnel shall be briefed on the "no collection" policy for cultural resources that are present both onsite and offsite. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to include the "no collection" policy for cultural resources in all contractor and employee contracts.
- Rail•Cycle to provide all contractors and employees with written information on the provisions of the Archaeological Resources Protection Act of 1979 and penalties for unauthorized artifact collection and disturbance of historic properties.
- Contractor and employee contracts to stipulate that the "no collection" policy is a condition of employment.
- Rail•Cycle to provide copy of "no collection" policy to the Planning Department, Environmental Section.
- Onsite archaeological monitor to enforce policy during grading and excavation activities (see Measure C-3).

COMPLIANCE RECORD

- Copy of "no collection" policy to be provided to Planning Department, Environmental Section, prior to issuance of SWFP.
- The "no collection" policy applies to the period of project construction, operation, closure and postclosure.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
CULTURAL RESOURCES

C-2

Information on prehistoric and historic land use of the project area shall be included in interpretive displays at the visitor's center. In addition, public information signs that advise of the provisions of the Archaeological Resources Protection Act of 1979, as amended and penalties for unauthorized artifact collection and disturbance of historic properties will be posted in the visitor's center. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit design plans for visitor center displays for review and approval by the Planning Department, Environmental Section.
- Rail•Cycle will also provide public signs with information on the Archaeological Resources Protection Act of 1979 and penalties for unauthorized artifact collection and disturbance of historic properties.
- Rail•Cycle to implement approved plans.
- Planning Department, Environmental Section to review and approve final displays.

COMPLIANCE RECORD

- Plans to be approved prior to issuance of building permits.
- Displays to be completed prior to issuance of occupancy permits.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

CULTURAL RESOURCES

C-3

An archaeological monitor shall be present during grading and construction of the access road, and during subsequent development of landfill. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit name and qualifications of archaeological monitor to the Planning Department, Environmental Section for approval.
- Rail•Cycle shall provide for the archaeological monitor to be present during access road grading and construction.
- Rail•Cycle shall provide the archaeological monitor with the authority to halt construction in the event archaeological materials are encountered, until such time as the materials are evaluated for significance and any necessary data recovery measures are implemented.
- Rail•Cycle's archaeologist to prepare monitoring reports for each phase of construction.
- Rail•Cycle to submit archaeological monitoring reports to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Archaeological monitor to be onsite during grading of the access road, and excavation of landfill cells.
- Monitoring reports to be submitted upon completion of each phase and upon discovery of any cultural resources.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

CULTURAL RESOURCES

C-4

Signs shall be placed along the landfill to indicate that the access road follows the National Old Trails Road.

Turnouts at each end of the segments of the old road used as an access road will contain interpretive signs and information. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle will submit sign placement and designs for review and approval by the BLM and Planning Department, Environmental Section.
- Rail•Cycle will implement manufacture, installation, and maintenance of the signs.
- Planning Department to review and approve signs prior to installation.
- Rail•Cycle will be responsible for sign maintenance, as needed.

COMPLIANCE RECORD

- Signs to be approved prior to issuance of occupancy permits.
- Signs to be maintained for the entire period of project construction, operation, closure, and postclosure.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PALEONTOLOGICAL RESOURCES

P-1

Resource evaluation shall be conducted that includes known onsite resource localities and prioritizing of significant sites relative to focused research, scientific value, and potential for project effects. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit the name and qualifications of a qualified paleontologist to the Planning Department, Environmental Section.
- Rail•Cycle to contract with the selected paleontologist to conduct a resource assessment of the site.
- Rail•Cycle to submit the paleontology report to the Planning Department, Environmental Section to forward to the San Bernardino County museum for review and approval.
- Ongoing resource evaluation to be conducted.

COMPLIANCE RECORD

- Resource evaluation report to be approved prior to issuance of building permits.
- Ongoing resource evaluation during project construction and operations.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PALEONTOLOGICAL RESOURCES

P-2

Field salvage by a qualified paleontologist shall consist of the following (Draft EIR/EIS):

- Inspection and removal of fossils at the most significant localities observed during previous field assessment.
- Excavation monitoring to identify areas likely to contain significant paleontological resources.

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle's paleontologist to conduct pre-excavation salvage and excavation monitoring for each landfill cell.
- Paleontologist to prepare reports to be submitted to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Pre-excavation salvage to be conducted prior to issuance of grading permits.
- Ongoing excavation monitoring for each new landfill cell.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
PALEONTOLOGICAL RESOURCES

P-3

Compliance shall include identifying, curating, and permanently housing recovered fossils, and providing a report that indicates a paleontological resource mitigation program has been completed. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to contract with the San Bernardino County Museum for the curating and permanent housing of fossils recovered at the site.
- Rail•Cycle shall prepare a report as to the results of the paleontological mitigation program, including a resource inventory, and submit it to the Planning Department (Environmental Section) to forward to the San Bernardino County Museum for review and approval.

COMPLIANCE RECORD

- Rail•Cycle to contract with San Bernardino County Museum prior to issuance of SWFP.
- Reports to be submitted to Planning Department, Environmental Section upon completion of each landfill phase (as defined by the Department).

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

PALEONTOLOGICAL RESOURCES

P-4

Construction and operations personnel shall be briefed as to the proper procedures when working with a paleontological monitor and when fossils are discovered in an unmonitored situation. They shall also be briefed on the "no collection" policy for paleontological resources. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to prepare and implement an employee education program for construction and operations personnel, to include proper procedures when working with a paleontological monitor, the discovery of fossils in an unmonitored situation, and the "no collection" policy for paleontological resources.
- The employee education program to be submitted to the Planning Department, Environmental Section, for review and approval.
- Rail•Cycle contractor and employee contracts to stipulate that the "no collection" policy is a condition of employment.
- Rail•Cycle to provide work-around plans for discovery situations so that landfill-related excavation work can continue unimpeded, away from a discovery site.

COMPLIANCE RECORD

- Employee education program to be implemented prior to initial construction and periodically as required to assure all new employees receive training.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

TRANSPORTATION

T-1

Turning lanes shall be provided on National Trails Highway at entrance to the site. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit road improvement plans to Land Development Department, Engineering/Roads Section for review and approval.
- Rail•Cycle to provide improvements as approved by the County.
- Land Development, Engineering/Roads Section to inspect improvements.

COMPLIANCE RECORD

- Improvement plans to be approved prior to issuance of building permits.
- Inspection and plan approval prior to issuance of occupancy permits.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

TRANSPORTATION

T-2

In the event that project implementation requires the importation of clay materials via trucks from a source that requires the use of Kelbaker Road for landfill construction, the applicant shall be responsible for a proportional share of the maintenance and repairs to Kelbaker Road from Interstate 40 to National Trail Highway, and National Trails Highway from Kelbaker Road to the project entrance. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide operations plans, including proposed importation of clay, if required, in the RDSI.
- Rail•Cycle to provide Land Development Department, Engineering/Roads Section with data regarding location of clay source, and estimated scheduling and number of required trips for importation to site.
- Land Development Department, Engineering/Road Section to determine requirement for proportionate share of maintenance and improvement costs for Kelbaker Road and National Trails Highway.
- Rail•Cycle to comply with funding or maintenance as required by County.

COMPLIANCE RECORD

- Rail•Cycle to provide traffic data to Land Development Department, Engineering/Roads Section and Planning Department upon determination of clay source.
- Funding mechanism, if required, to be determined by County.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
TRANSPORTATION

T-3

Trains hauling waste to the landfill shall be scheduled to operate in urban areas during late night or early morning hours. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to submit train schedules for the haul of municipal solid waste from urban areas to the project site to the Planning Department, Environmental Section.
- Planning Department, Environmental Section to review schedules and confirm that operating schedules meet the criteria of this mitigation measure.

COMPLIANCE RECORD

- Rail•Cycle to provide copies of applicable train schedules every five years during the operation of the landfill.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
TRANSPORTATION

T-4

Ridesharing and vanpool programs for landfill employees shall be implemented. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to establish ridesharing and vanpool program availability to employees.
- Rail•Cycle to submit periodic reports on status of all air quality mitigation to the Planning Department, Environmental Section. Report to include summary status of employee utilization of rideshare/vanpool program.

COMPLIANCE RECORD

- Rideshare/vanpool program to be established within first year of landfill operation.
- Annual status reports to be submitted to Planning Department, Environmental Section by Rail•Cycle.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

NOISE

N-1

Rail•Cycle shall implement an employee hearing protection program that shall specifically address equipment operators and other personnel working on or near heavy equipment. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to comply with OSHA regulations regarding employee hearing protection and awareness training.
- Rail•Cycle to provide copy of operating plans and procedures to the Planning Department, Environmental Section and LEA.

COMPLIANCE RECORD

- Rail•Cycle to provide copy of operating plans and procedures to the Planning Department, Environmental Section and LEA prior to issuance of SWFP.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

NOISE

N-2

Onsite structures within noise contours exceeding 65 dBA (400 to 500 feet from the landfill and 100 to 200 feet from offloading facility) shall be designed for appropriate noise attenuation. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide site and building plans to the Department of Environmental Health Services (DEHS) identifying noise attenuation measures.
- DEHS and Building and Safety Department to review and approve plans.
- Building and Safety Department to inspect structures to assure conformance to building plans.

COMPLIANCE RECORD

- Site and building plans to be approved prior to issuance of building permits and SWFP.
- Structures to be inspected prior to issuance of occupancy permits.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

LAND USE

L-1

A land exchange in fee shall occur consistent with BLM regulations and policies. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to complete land exchange with BLM in accordance with BLM procedures and policies.
- Rail•Cycle to provide copy of land title to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Exchange to be completed prior to issuance of building permits.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

LAND USE

L-2

Additional CEQA analysis shall be required if more than 250,000 cubic yards of clay must be imported to the landfill during any six-month period. (Final)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to provide plans (location of borrow site, quantities, etc.) for clay import to the Planning Department, Environmental Section.
- Planning Department, Environmental Section to prepare Initial Study for proposed importation.
- Appropriate CEQA process (Negative Declaration, EIR, etc.) to be conducted upon determination of Planning Department, Environmental Section.

COMPLIANCE RECORD

- Rail•Cycle to provide proposed import plans as soon as practical.
- Importation not to occur prior to certification of appropriate CEQA documentation and County approvals.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
SOCIOECONOMICS

S-1

Rail•Cycle shall hire from the local labor force to the extent possible to minimize the effect on local population fluctuations. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to recruit from the local labor force prior to recruiting from the larger metropolitan areas in the region.
- Rail•Cycle to advertise for employees in the local newspapers (i.e., Barstow, Needles, Morongo Basin, Palm Desert) prior to advertising in the major metropolitan newspapers.

COMPLIANCE RECORD

- Throughout the period of project construction, operation, and closure, Rail•Cycle to implement measures when possible to employ persons from the local labor force.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD
SOCIOECONOMICS

S - 2

To the extent practicable, Rail•Cycle shall retain temporary construction personnel for permanent landfill employment positions (Draft EIR/EIS).

IMPLEMENTATION AND VERIFICATION

- When practicable, Rail•Cycle will offer permanent positions to temporary construction personnel prior to recruiting from other sources.
- Rail•Cycle shall maintain employee files as to personnel who were retained as permanent employees subsequent to construction activities.

COMPLIANCE RECORD

- Rail•Cycle shall attempt to fill permanent positions from pool of temporary workers throughout landfill construction, operation, and closure.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

SOCIOECONOMICS

S-3

Rail•Cycle shall implement an ongoing training program so that persons initially hired for basic positions would be able to improve their skills and their employment status (Draft EIR/EIS).

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall prepare a training program for employees.
- Rail•Cycle's employee training program to be available to the Planning Department, Environmental Section upon request.

COMPLIANCE RECORD

- Rail•Cycle's policy of providing employee-upgrade training shall be in effect throughout the period of project construction and operation.

DATE COMPLETED:

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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

SOCIOECONOMICS

S-4

Impacts to schools based on population increases within the project region would be mitigated indirectly through the development of new housing units and the assessment of developers' impact fees or establishment of a Community Facilities District ("Mello Roos" District) and tax assessment to fund construction of new school facilities.

(Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Implementation as required by the affected school districts upon development of new housing projects.

COMPLIANCE RECORD

- None required.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

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APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

SOCIOECONOMICS

S-5

Telephone service shall be established at the project site to serve the landfill (Draft EIR/EIS).

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall contract with the area service provider for telephone service at the site.
- Rail•Cycle to provide letters of service verification to the Planning Department, Environmental Section.

COMPLIANCE RECORD

- Telephone service to be established prior to occupancy.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

SOCIOECONOMICS

S-6

A potable water supply and distribution system shall be established at the project site to serve the needs of landfill personnel, contractors, and visitors (Draft EIR/EIS).

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to design a potable water supply and distribution system.
- Rail•Cycle shall submit design plans to Building and Safety Department, DEHS, Water/Wastewater Section, and Forestry and Fire Warden Department for review and approval.
- Rail•Cycle shall provide sufficient storage capacity to maintain the system in the event of an interruption in the supply of potable water, as approved by the DEHS.
- Water storage and delivery system to be inspected by Building and Safety Department and Forestry, DEHS and Fire Warden Department.

COMPLIANCE RECORD

- Plans to be approved by the Department of Building and Safety, DEHS and the Forestry and Fire Warden Department prior to the issuance of building permits.
- Inspection of water system improvements prior to occupancy permits.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

SOCIOECONOMICS

S-7

Rail•Cycle shall make available to the appropriate LEAs and the CIWMB information within its control regarding waste volumes and recovery rates at MRFs from which waste is disposed of at Bolo Station. To the extent that such information is available, reports will include the following for each MRF sending residual waste to Bolo Station (Final):

- Gross waste receipts.
- Total volume of materials diverted for purpose of recycling, composting, or reuse by major commodity type (i.e., paper products, glass, plastic, metals and yard wastes).
- Total volume of residual waste transported to Bolo Station.
- Location of major end-markets for diverted materials.

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle to request such information as part of its contract to accept waste from the various MRFs.
- Rail•Cycle to maintain permanent records of MRFs that send municipal solid waste to the Bolo Station site and the volumes received from each.
- Rail•Cycle to make such records available to the LEA and CIWMB upon request.

COMPLIANCE RECORD

- Rail•Cycle to keep records on MRFs that supply the Bolo Station landfill throughout the period of landfill operation.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

CHECK NO.:

APPROVED BY:

FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:

MITIGATION MONITORING COMPLIANCE RECORD

SOCIOECONOMICS

S-8

A wastewater disposal system shall be established at the project site to assure appropriate disposal. (Draft EIR/EIS)

IMPLEMENTATION AND VERIFICATION

- Rail•Cycle shall design sanitary sewer wastewater disposal systems for the fire station and visitor's center and for the landfill administration and maintenance area.
- Rail•Cycle shall submit design drawings to the Department of Building and Safety for review and approval.
- The wastewater disposal system to be inspected by Building and Safety Department and DEHS, Water/Wastewater Section.

COMPLIANCE RECORD

- Drawings to be approved by the Department of Building and Safety prior to the issuance of building permits.
- Inspection of wastewater system improvements prior to occupancy permits.

DATE COMPLETED:

SUBMITTED TO COUNTY BY:

FEE:

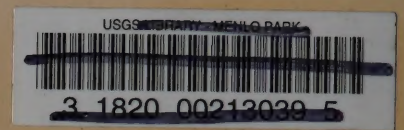
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FURTHER ACTION REQUIRED:

DATE FOLLOW-UP COMPLETED:





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